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Michael Gough in the East Church at Alahan 1968.

MICHAEL R. E. GOUGH (1916-1973)

MICHAEL Richard Edward Gough was born in Newcastle-upon-Tyne on 23 September 1916. His formal education began at the Dragon School, Oxford, from whence he obtained a scholarship to Stonyhurst College. As soon as it was possible, he concentrated his work on the Classics and in 1936 obtained a Classical Exhibition to Peterhouse, Cambridge, where he later became a Scholar and Prizeman. He obtained First Class Honours in the Classical Tripos in the summer of 1939, with Archaeology as his special subject.

Although of necessity this account must deal only with Michael Gough's academic career, it cannot be overlooked at this point that he joined the British Army on 3 September 1939 as a Gunner in the Royal Artillery. He saw service during the Second World War in the Middle East and in the whole of the Italian Campaign, including the battles of Cassino and on the Sangro; he was finally discharged from the Army as a Major in the spring of 1946 after six months in Germany.

In September 1946 he took up the post of Classics Master at his old school, Stonyhurst. He needed to "try and remember his Classics," he said at the time. The next year he went back to Cambridge and read for and obtained a Diploma in Classical Archaeology. He then applied for and was awarded a Scholarship from the newly founded British Institute of Archaeology at Ankara; he was the Institute's second Scholar and later became Fellow. He arrived in Ankara on 14 February 1949 and began his studies of the classical antiquities of Cilicia. Thus began Michael Gough's long association both with the British Institute of Archaeology at Ankara and with Turkey.

From the spring of 1949 until the autumn of 1951 Gough was almost continually in Turkey, and, as long as the weather permitted, in the more remote and wilder parts of Cilicia. It was during this time that his great love of the country and its people became so strongly founded. He learned Turkish quickly (he was a natural linguist), and adapted himself with ease and delight to the rugged and unusual life that he was called upon to live. He travelled about Cilicia in country carts, on horseback,

on foot and in buses, and lived in obscure hotels, in hospitable village houses and in tents. He formed strong friendships with Turks of all conditions, friendships which were to last for the rest of his life.

During these two years his principal work was done at Anavarza, the Roman town of Anazarbus, about which he wrote a notable article in *Anatolian Studies* 2 (1952). He also worked at Hierapolis Castabala, at Pompeiopolis, at Seleucia on the Calycadnos, at Flaviopolis, at Claudiopolis and at Epiphanea; he also joined the Istanbul university team working at Karatepe for the autumn season of 1949. He was digging a Roman bath adjacent to Professor Seton Lloyd's excavation at Sultantepe in May 1951 when a cable arrived offering him the post of Lecturer in Classical Archaeology at the University of Edinburgh. He accepted the appointment with alacrity, but with considerable difficulty, as due to some postal problem in Scotland his telegram kept coming back, much to his chagrin, marked as "undeliverable". The problem was finally overcome, however, and in the autumn of 1951 he took up his duties at Edinburgh.

Gough worked in Edinburgh for ten very busy and happy years. During the academic year he was totally involved with his teaching, which he greatly enjoyed, and with scholarly activities suitable to his profession. He had become a Fellow of the Royal Numismatic Society in 1948, and in 1952 and 1953 became successively Fellow of the Society of Antiquaries of Scotland and of the Society of Antiquaries of London. He was elected Member of Council of the British Institute of Archaeology at Ankara in 1954 and Member of the Managing Committee of the British School of Archaeology at Athens in 1957. The long vacation was always spent in Cilicia or in Isauria. In 1953 he excavated a small church that had been built inside a pagan temple at Elaeusa Sebastae, and perhaps his interest in Christian Archaeology dated from that year, but it is possible that it had already started at Anazarbus where he took a particular interest in the many Christian churches and monuments. Even more likely is that the study of Christian Archaeology imposed itself on him gradually and for a number of reasons (not least the influence of Professor Talbot Rice, then Professor of Fine Art at Edinburgh), rather than that at any fixed moment he decided to make it his field. In 1955 he made his first sounding at the monastery complex of Alahan which was later to become the principal excavation of his life, and in 1967, 1968, and 1969 he excavated churches at Dağ Pazari, ten miles away from Alahan.

Despite Gough's growing preoccupation with the early Christian period, the pagan past was not quite forgotten. In 1957 he enthusiastically accepted an invitation from the British School at Athens,

in conjunction with the Greek authorities, to continue the excavation (abandoned since before the War), of a second-century Roman building at Knossos, an important building which had come to be known as the Villa Dionysos on account of its many mosaics and wall paintings dealing with Dionysiac subjects. Gough excavated the Villa in 1957, 1958, and 1961, but the work was not finished until after a final season in 1972.

In 1961 Michael Gough's first book *The Early Christians* was published and was later translated into several languages. In this year also he was elected Director of the British Institute of Archaeology at Ankara and took up residence there. He embarked on a major series of excavations at Alahan, working on this site in 1961, 1962, 1963, 1965, 1967, and 1968. In 1963 and 1965 he also excavated and restored the eleventh-century monastery at Eski Gümüş; the whole season of 1964 was devoted to this project. In 1964 Gough was made a Corresponding Member of the Deutsches Archaeologisches Institut, and in 1968 he was awarded the Order of the British Empire.

The year 1968 brought great changes to Michael Gough's life; he crossed the Atlantic. He had already made two lecture tours in North America in 1964 and 1967 under the auspices of the American Institute of Archaeology, but in 1968, almost simultaneously, he applied for and was awarded Membership of the Institute for Advanced Study at Princeton and was also offered and accepted the post of Professor of Christian Archaeology at the Pontifical Institute of Mediaeval Studies and the University of Toronto. He went to Princeton for the winter 1968-69 and took up his teaching duties in Toronto in September 1969.

Gough found his position at the Pontifical Institute exceedingly congenial and rewarding and felt himself much at home both with his colleagues and his students. Unfortunately his time in Toronto was marred considerably by ill-health, but in spite of this he was able to continue his field work in the summers with the support of the Institute itself, of the Royal Ontario Museum, of a private subscriber, Angus Reid, and above all of The Canada Council. Two further major excavations were undertaken at Alahan in 1970 and 1972; the latter he intended to be final, although he had hoped, in 1974, to do a little further work on the conservation of the masonry of the buildings and in fencing in the entire site. In 1971 he did his last season at the Villa Dionysos; he was greatly concerned here, too, with the problem of the conservation of the mosaics and the roofing of the Villa. He had hoped that this project would have reached a satisfactory conclusion in the

summer of 1973. With the promise of British, Canadian, and Greek collaboration, he thought that he himself would be able to see the work finished in the summer of 1974.

In the autumn of 1973, only about two months before his death, his book *The Origins of Christian Art* appeared; the book had been some twelve years in the writing, as work on it had been greatly hampered first by many and varied administrative duties in Ankara and also by several periods of serious illness. Its final appearance was an immense relief and satisfaction to him. He still, however, had a great deal of work to do, for which he enjoyed making plans. He had hoped to work for two seasons at Dağ Pazari again in order to follow up some theories that he had already outlined in his article "The Emperor Zeno and Some Cilician Churches" (*Anatolian Studies* 22), and after that had decided to devote himself to the definitive publications of Alahan, the Villa Dionysos, and Eski Gümüş. It was sad, indeed, that he did not live to carry out these projects, but it would be a mistake to think that he died too soon. He died happy and content, in the middle of work that he loved and which exercised to the full his considerable talents. Not every one has the same good fortune.

Toronto

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THE ABSOLUTE AND THE ORDAINED POWERS OF THE POPE AN UNEDITED TEXT OF HENRY OF GHENT

John Marrone*

THE limits of a ruler's power and the right of resistance by subjects to such power when illicitly used were commonly discussed by medieval thinkers. By the thirteenth century both issues figured prominently in treatments of the state and were, for example, discussed by such representative thinkers as Henry Bracton and Thomas Aquinas. Bracton argued that a community had the right to resist a ruler whose actions seriously harmed its well-being.¹ Similarly Aquinas asserted that the subjects of a ruler could legitimately resist those commands which violated divine or natural law. Moreover, Aquinas added, as a last resort such a ruler could be deposed by the community.² This right of

* I wish to thank Professor Brian Tierney and Dr. Charles Zuckerman of Cornell University for their assistance in the preparation of this article.

¹ *De legibus et consuetudinibus angliae*, ed. G. E. Woodbine, 3 (New Haven, 1940), 43, fol. 171b: "Si autem princeps vel rex vel alius qui superiorem non habuerit, nisi deum, contra ipsum non habebitur remedium per assisam, immo tantum locus erit supplicationi ut factum suum corrigat et emendat, quod si non fecerit, sufficiat ei pro poena quod deum expectet ultorem ... nisi sit qui dicat quod universitas regni et baronagium suum hoc facere possit et debeat in curia ipsius regis." In his *Addicio de cartis*, Bracton wrote: "Item factum regis nec cartam potest quis iudicare, ita quod factum regis irritetur. Sed dicere poterit quis quod rex iustitiam fecerit, et bene, et si hoc eadem ratione quod male, et ita imponere ei quod iniuriam emendet, ne incidat rex et iustitarii in iudicium viventis dei propter iniuriam. Rex habet superiorem, deum scilicet. Item legem per quam factus est rex. Item curiam suam, videlicet comites et barones, quia comites dicuntur quasi socii regis, et qui socium habet, habet magistrum. Et ideo si rex fuerit sine fraeno, id est sine lege, debent ei fraenum apponere nisi ipsimet fuerint cum rege sine fraeno." *De legibus* 2 (New Haven, 1922), 110, fol. 34. For convincing arguments crediting the *Addicio* to Bracton and references to the vast literature on Bracton, see the following works: Brian Tierney, "Bracton On Government," *Speculum*, 38 (1963), 295-317, 310-17; Ernst Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Theology* (Princeton, 1954), pp. 143-92.

² *Saint Thomas Aquinas On Kingship To The King of Cyprus*, trans. G. Phelan, rev. I. Eschmann (Toronto, 1949), pp. 23-29. See, for example, p. 27: "If to provide itself with a king belongs to the right of a given multitude, it is not unjust that the king be deposed or have his power restricted by that same multitude if, becoming a tyrant, he abuses the royal power."

resistance by the community to the unjust exercise of a ruler's authority was also recognized in discussions of church government. Many canonists writing before Bracton and Aquinas taught that a General Council could depose a pope for heresy or other serious crimes.³ These ideas did not develop in isolation from the political realities of medieval life. In the thirteenth century some English barons disobeyed commands of two kings which they considered unlawful and they would depose a third monarch in the following century. Similarly Bishop Robert Grosseteste refused to obey a command of Pope Innocent IV.⁴ Moreover, such diverse opponents of the papacy as the Emperor Frederick II, the Colonna Cardinals, and the supporters of King Philip IV of France wished to see General Councils convened to depose reigning popes.⁵

Such theories were intricately linked to medieval beliefs about the relationship between the ruler and the law. Everyone agreed, of course, that the ruler was bound by the universal commands of divine or natural law. The question at issue was the ruler's relationship to the fundamental law of the particular society over which he governed. The more common view was that the ruler had an obligation to observe such laws although he could not be coerced to do so. Hence Bracton wrote that "The king should be under no man but under God and under the law,"⁶ Similarly Aquinas held that the prince was subject to the directive force of the law if not to its coercive force.⁷

3 For relevant texts and commentary, see the following studies of Brian Tierney: *Foundations of the Conciliar Theory* (Cambridge, 1955); "Grosseteste and the Theory of Papal Sovereignty," *Journal of Ecclesiastical History*, 6 (1955), 1-17; "Pope and Council: Some New Decretist Texts," *Mediaeval Studies*, 19 (1957), 197-218.

4 See Tierney, "Grosseteste", for a full discussion of this affair.

5 Tierney, *Foundations*, pp. 77-80, 157-61. Petrus de Vineia, Frederick II's Chancellor, called for the convocation of a General Council to depose Pope Gregory IX in a series of letters written on Frederick's behalf in 1239. For this see also B. Sütterlin, *Die Politik Kaiser Friedrichs II und die Römischen Kardinäle 1239-1250* (Heidelberg, 1929). For the revival of Conciliar theories in 1296 as a result of the abdication of Pope Celestine V and the quarrel between Pope Boniface VIII and King Philip IV of France, see the following works: H.X. Arquillière, "L'appel au concile sous Philippe le bel et la genèse des théories conciliaires," *Revue des questions historiques*, 45 (1911), 23-55; R. Scholz, *Die Publizistik zur Zeit Philipps des Schönen und Bonifaz VIII* (Stuttgart, 1903), pp. 108-25; L. Mohler, *Die Kardinäle Jacob und Peter Colonna* (Paderborn, 1914).

6 "Ipse autem rex non debet esse sub homine sed sub deo et sub lege, quia lex facit regem. Attribuat igitur rex legi, quod lex attribuat ei, videlicet dominationem et potestatem. Non est enim rex ubi dominatur voluntas et non lex." Woodbine, 2, 33, fol. 5b.

7 "It may be said that the prince is called freed from the law as regards the coercive force of the law; for no one properly speaking is coerced by himself; but the law does not have coercive force except from the power of the prince: thus therefore the prince is said to be free from the law because no one can pass judgment concerning him if he acts against the law. Whence on *Psalms* 50: *To you alone have I sinned*, the gloss says that no man may judge the acts of the king; but as regards

By the thirteenth century, however, jurists and theologians began to teach that in extraordinary circumstances it might be necessary for a ruler to act outside the framework of existing law to defend the welfare of the entire community. These writers thus conceived of the ruler as above the law in some ways but below it in others. Medieval thinkers were, in fact, beginning to wrestle with the problem of sovereignty and they expressed themselves in different ways. For example, the Roman Law adage "Necessity knows no law" was now commonly employed by medieval thinkers to describe the extensive powers of a ruler to act extralegally for the community's good.⁸ Similarly canonists began to claim that the pope could act outside the ordinary course of church law by his plenitude of power for the church's good, although he could not act in opposition to the general state or well-being of the church.⁹

The historian Ernst Kantorowicz called attention to a phrase in the Sicilian Constitutions (1231) of Frederick II describing the ruler as "Father and Son of Justice."¹⁰ Such an expression accurately reflected the more common medieval view of a ruler's power. Again, Charles McIlwain believed he found a distinction between *gubernaculum* and *iurisdictio*, that is between those powers exercised by a ruler outside the existing legal framework and those powers exercised within it, in medieval discussions of the English king's power. Although McIlwain

the directive force of the law the prince is subject to the law by his own will as it is said in *Extra, De constitutionibus*, cap. *cum omnes* (*Decretales* 1.2.6), 'Whatever anyone has established as law for another, he should adhere to himself ...' and in the *Code* ... 'It is a declaration worthy of the ruler for the prince to profess himself bound by the laws ...' The prince is also above the law, in that, if it is expedient, he can change the law, or dispense from it according to time and place." *Summa theologiae* 1-2, 96, 5 Resp., trans. Tierney, "Bracton", p. 304.

8 The articles of Gaines Post on medieval reason of state are especially useful. Some of these have been collected in Post's *Studies in Medieval Legal Thought: Public Law and the State, 1100-1322*, (Princeton, 1964). See especially chapter 5 entitled "*Ratio Publicae Utilitatis, Ratio Status*, and 'Reason of State' 1100-1300," pp. 241-309.

9 For this see the following works: G. Post, "Copyists' Errors and the Problem of Papal Dispensations *Contra Statutum Generale Ecclesiae* or *Contra Statum Generalem Ecclesiae* According to the Decretists and Decretalists Circa 1150-1234," *Studia Gratiana*, 9 (1966), 359-405; J. Hackett, "State of the Church. A Concept of the Medieval Canonists," *The Jurist*, 23 (1963), 259-90.

10 *The King's Two Bodies*, pp. 98-99: "Not without great counsel and wise deliberation have the Quirites by the *lex regia* conferred on the Roman Prince both the right to legislate and the *imperium*, that from the very same person (ruling ... over the people by his Power) there might progress the origin of Justice, from whom also the defence of Justice proceeds. Provision, therefore, was made for reasons of utility and necessity, as can be proved, that there concur in the selfsame person the origin as well as the protection of Justice, lest Vigor be failing Justice, and Justice, Vigor. The Caesar, therefore, must be at once the *Father and Son of Justice*, her Lord and her Minister: Father and Lord in creating Justice and protecting what has been created; and in like fashion he shall be, in her veneration, the Son of Justice and protecting what has been created; and in like fashion he shall be, in her veneration, the Son of Justice and, in ministering her plenty, her minister."

overemphasized the absolutism of the royal *gubernaculum*,¹¹ he was correct in ascribing a medieval origin to the idea that a ruler did possess in emergencies the power to act outside the ordinary course of positive law for the community's welfare.¹²

One particularly important way of expressing this common doctrine was to distinguish between the absolute power and the ordained power (or ordinary power) of a ruler. This terminology was borrowed from those medieval theologians who likewise distinguished between the absolute and the ordained powers of God.¹³ In a recent article Francis Oakley demonstrated the importance this distinction as applied both to the pope and the prince played in the formulation of medieval and Renaissance political thought.¹⁴ For example, the Attorney General for Ireland in King James I's reign stated:

The King himself was pleased to limit and stint his absolute power, and to tie himself to the ordinary rules of Law ... [but we should not forget that he continues to] ... exercise a double power, viz. an absolute power, or *Merum Imperium*, when he doth use Prerogatives onely, which is not bound by positive law; and an ordinary power of Jurisdiction, which doth cooperate with the law.¹⁵

Similarly Jean Bodin's assertion that the prince was able to derogate from the ordinary right by his absolute power, though not from the laws of nature, was representative of many royalist theories in sixteenth-century France.¹⁶

Although Oakley noted that the distinction between absolute and ordained powers was employed by fifteenth-century Gallican writers in

11 C. McIlwain, *Constitutionalism Ancient and Modern* (Ithaca, 1940), pp. 72 ff., 86 ff., 92, 123 ff., 166 ff.

12 For recent criticisms of McIlwain's theory, see Tierney, "Bracton", and Ewart Lewis, "King Above Law? 'Quod Principi Placuit' in Bracton," *Speculum*, 39 (1964), 240-69.

13 The distinction between the absolute and the ordained powers of God was to assume greater importance among theologians in the fourteenth and fifteenth centuries where it provided one of the bases of late medieval Nominalism. See Heiko Oberman, *The Harvest of Medieval Theology: Gabriel Biel and Late Medieval Nominalism* (Cambridge, Mass., 1963), pp. 30-56, and the two studies of Francis Oakley: "Pierre D'Ailly and the Absolute Power of God: Another Note on the Theology of Nominalism," *Harvard Theological Review*, 56 (1963), 57-79; *The Political Thought of Pierre D'Ailly. The Voluntarist Tradition* (New Haven, 1964).

14 "Jacobean Political Theology: The Absolute and Ordinary Powers of the King," *Journal of the History of Ideas*, 29 (1968), 323-46.

15 Sir John Davies, *The Question concerning Impositions, Tonnage, and Poundage ... fully stated and argued from Reason, Law and Policy* (London, 1656), pp. 30-31, cited in Oakley, "Jacobean Political Theology," pp. 325-26.

16 Jean Bodin, *Les six livres de la république*, 1, 8 (Paris, 1580), 133, cited in Oakley, "Jacobean Political Theology," p. 329.

their defense of the liberties of the French Church,¹⁷ he did not realize that these terms were also to be found in the writings of the late-thirteenth-century founders of that Gallican tradition, the secular masters of theology of the University of Paris.¹⁸ Indeed, the first theologian to apply the distinction between absolute and ordained powers to the pope seems to have been the thirteenth-century Parisian master Henry of Ghent (d. 1293).¹⁹ Henry's role in the struggle of the secular masters of the University of Paris in the thirteenth and fourteenth centuries against the friars' papal privileges, which provided the major impetus for early medieval Gallicanism, has long been recognized.²⁰ However, his unique and interesting treatment of the absolute and ordained powers of the pope and the circumstances in which papal decrees were to be disobeyed has been almost completely neglected because Henry's discussion is contained in a still unprinted tract of his which survives in only one manuscript.²¹ We have, therefore, transcribed the appropriate section of Henry's discussion at the end of this article.

¹⁷ *Ibid.*, pp. 333-35.

¹⁸ The best introduction to the thought of the originators of the Gallican tradition are the following three studies: Kurt Schleyer, *Anfänge des Gallikanismus im 13. Jahrhundert; der Widerstand des französischen Klerus gegen die Privilegierung der Bettelorden* (Berlin, 1937); Yves M. J. Congar, "Aspects ecclésiologiques de la querelle entre mendiants et séculiers dans la seconde moitié du xiii^e siècle et le début du xiv^e siècle," *Archives d'histoire doctrinale et littéraire du Moyen Age*, 36 (1961), 35-151; Josef Ratzinger, "Der Einfluss des Bettelordensstreites auf die Entwicklung der Lehre vom päpstlichen Universalprimat," *Theologie in Geschichte und Gegenwart*, eds. J. Auer, H. Volk (Munich, 1957), pp. 697-724.

¹⁹ For an analysis of Henry of Ghent's work, see Georges de Lagarde, "La philosophie sociale d'Henri de Gand et Godefroid de Fontaines," *Archives d'histoire doctrinale et littéraire du Moyen Age*, 18 (1943), 73-142.

²⁰ Congar, "Aspects", pp. 147-48; Schleyer, *Anfänge*, pp. 77-106.

²¹ Bibliothèque Nationale, Manuscrit Latin 3120, fols. 92r-141v, hereafter cited as B.N. 3120. For a discussion of the date and contents of this manuscript, see Schleyer, *Anfänge*, pp. 113-28, and P. Glorieux, "Un recueil polémique de Guillaume de Mâcon," *Studia gratiana*, 2 (1954), 621-42. Although the initial part of this section of the manuscript, fols. 92r-99v, contains material identical to Henry of Ghent's printed *Quodlibet* XII, question 31 of Advent 1288, the rest of this manuscript, fols. 99v-141v, is not extant in any of the printed editions of Henry's *Quodlibets* (Paris, 1518; Venice 1608, 1613). P. Glorieux, *La littérature quodlibétique de 1260 à 1320*, *Bibliothèque thomiste*, 5, (Le Saulchoir-Kain, 1925), p. 196, n. 1, who seems to have been the first historian to be aware of this unedited material, considered this unprinted work to be a part of Henry of Ghent's *Quodlibet* XII, q. 31. Several years later, however, Schleyer, *Anfänge*, p. 128, suggested that this material might not be an unpublished part of Henry of Ghent's twelfth *Quodlibet* as Glorieux thought, but rather a separate disputed question. Schleyer's thesis seems to be true because it is supported by the report of a late medieval chronicler well-informed about Henry of Ghent's role in the secular-mendicant disputes of the 1280s: "Magister autem Hinricus de Gandavo, qui multa disputaverat de privilegio et de duodecim peciis librum ediderat" Cited by Heinrich Finke, *Aus den Tagen Bonifaz VIII, Vorreformationsgeschichtliche Forschungen*, 2 (Münster-in-Westfalen, 1902), *Quellen*, pp. III-VII, p. V. Obviously the chronicler believed that this material formed a separate work.

Henry of Ghent's pamphlet against the friars, written in the winter of 1288/89,²² dealt mainly with an earlier papal privilege to the friars and deserves attention for several reasons. We have already mentioned that Henry of Ghent seems to have been the first theologian to apply the distinction between absolute and ordained powers to the pope. He was also the first opponent of the papal grants to the friars to resurrect the older canonistic teaching that a General Council could depose a pope who harmed the church.²³

The starting point for Henry's discussion of papal power in this treatise was the recent papal privilege to the friars *Ad fructus uberes*.²⁴ In 1281 Pope Martin IV promulgated this decree with the intention of ending the quarrel between the seculars and mendicants over the friars' ministry.²⁵ The bull's most controversial provision commanded the mendicants to remind their penitents to observe the older Conciliar statute (1215) which obliged all Christians to confess all their sins at least once a year to their parish priests.²⁶ Mendicant theologians immediately argued that Pope Martin had not intended that sins confessed to friars were to be confessed again to parish priests. Rather, they contended, the pope had merely enjoined individuals to confess to their curates sins not confessed to the friars. Thus the friars' interpretation of *Ad fructus uberes* would have meant that most penitents would never confess all their sins to their parish priests. The secular masters, among them Henry of Ghent, retorted that the pope must have intended penitents to confess all their sins of the past year to their parish priests,

²² Glorieux, *Répertoire des maîtres en théologie de Paris au XIII^e siècle, Études de philosophie médiévale*, 17 (Paris, 1933), 389, dated this unedited work to the winter of 1288/89 because of its close connection with Henry's *Quodlibet* XII, q. 31 of Advent 1288 concerning the papal privilege, *Ad fructus uberes*, granted to the friars in 1281.

²³ Henry of Ghent thus anticipated the tendency of such later writers as William Durandus the Younger to adopt Conciliar ideas in addition to episcopal ones. For Durandus' theories see Tierney, *Foundations*, pp. 190-98 and Andreas Posch, "Die Reformvorschläge des Wilhelm Durandus jun. auf den Konzil von Vienne," *Mitteilungen des Oesterreichischen Instituts für Geschichtsforschung*, 11 (1929), 288-303.

²⁴ *Quodlibet* XII, question 31 on which this discussion is based is entitled "Utrum confessus peccata sua privilegiato, privilegio Martini papae quod sic incipit *Ad uberes fructus* etc., teneatur confiteri eadem suo proprio sacerdoti." *Quodlibeta Magistri Henrici Goethals a Gandavo*, 2 vols. (Paris, 1518; rpt. Louvain, 1961), 2, fol. 518r. This work will henceforth be cited as *Quodlibeta*.

²⁵ *Chartularium universitatis parisiensis*, eds. E. Chatelain, H. Denifle, 1 (Paris, 1889), 592-93.

²⁶ *Chartularium*, p. 592: "Volumus autem quod hii, qui fratribus confitebuntur eisdem, suis parrochialibus presbyteris confiteri saltem semel in anno, prout generale Concilium statuit, nihilominus teneantur, quodque iidem fratres eos hoc diligenter et efficaciter secundum datam eis a Domino gratiam exhortentur." The Conciliar statute referred to in this passage is *Omnis utriusque sexus* promulgated by Pope Innocent III in 1215 at the Fourth Lateran General Council. This decree obliged all Catholics to confess all their sins yearly to their parish priests.

including those previously confessed to friars. For, they argued, by the mendicant interpretation Martin IV would have withdrawn parishoners from the jurisdiction of their bishops and curates. Such an act, they contended, would have subverted the church's divine structure since the jurisdiction of prelates came from Christ and not the pope.²⁷

In the years immediately after the appearance of *Ad fructus uberes*, the papacy remained silent on this question although pressed to issue an authoritative interpretation of that bull. However, with the election of a new pope, Nicholas IV, early in 1288, it seemed as if a papal decision might be forthcoming and, since Nicholas was himself a friar, that this decision would be in the friars' favor.²⁸

The reaction of some anti-mendicant French bishops to the crisis caused by Nicholas IV's election was to affirm that the Conciliar decree *Omnis*, which contained the obligation of annual confession to curates, was part of divine law which the pope could not infringe in any way.²⁹ Apparently, these French bishops hoped in this manner to convince the new pope that he ought not to interpret *Ad fructus uberes* in such a way as to remove the obligation of yearly confession to the parish priest.

Henry of Ghent could not, however, adopt so extreme a position. First of all, he had publicly and clearly stated in his earlier analysis in 1282 of the meaning of *Ad fructus uberes* that the provision embodied in

27 For the various details of the quarrel between the seculars and the mendicants during the 1280s, stimulated by the papal privilege to the friars of 1281, *Ad fructus uberes*, see the following studies: G. Post, "A Pétition relating to the Bull *Ad Fructus Uberes*," *Speculum*, 11 (1936), 231-37; P. Glorieux, *Prélats français contre religieux mendiants: autour de la bulle 'Ad fructus uberes' (1281-1290)*, P. Gratien, "Ordres mendiants et clergé séculier à la fin du XIII^e siècle," *Études franciscaines*, 36 (1924), 499-518; A. G. Little, "Measures Taken by the Prelates of France against the Friars (c. A.D. 1289-90)," *Miscellanea Francesco Ehrle*, 3, *Studi e Testi*, 39 (Rome, 1924), 49-66.

28 Nicholas IV, the first Franciscan pope, was elected on February 15, 1288.

29 As one of the bishops' anti-mendicant tracts expressed it, "... sicut scriptura dicit: *Ille cui commissa est tenetur vultum pecoris agnoscere diligenter et statum ovium suarum considerare. Sed secundum dictorum fratrum intentum ad ignorantiam [curatus] arctaretur postquam enim subditi ad ipsum necessario recurrere non haberent et ipsum fugiendi facultas presteretur eisdem. Vultum interiorum agnoscere non posset illorum qui se sibi ostendere recusarent. Istud autem procedere non potest quia de lege divina teneatur vultum pecoris agnoscere diligenter et ex dicto privilegio arctetur ad ignorantiam status ovium: nisi aliquis dicere velit contra legem et prescriptum Dei illum [quod] ille qui dedit privilegium illud induxisse. Et illud nullatenus est dicendum, "Romanus enim autem Pontifex usque ad animam et sanguinem id quod Christus, apostoli, et sancti patres diffinierunt nititur confirmare, distinctione XXV, q. 1, *sunt quidem*." Taken from the *Maiores rationes prelatorum traditae per archiepiscopum bituricensem*, B.N. 3120, fols. 74r-89r, fol. 78r. For the date and contents of this treatise by Simon of Beaulieu, the Archbishop of Bourges and the leader of the anti-mendicant party among the French episcopate, see Schleyer, *Anfänge*, pp. 125-26. This work was apparently included in a collection of grievances the ambassadors of the anti-mendicant French bishops showed to Pope Nicholas IV at the end of 1288. For the details of this embassy, see Schleyer, pp. 69 ff.*

Omnis was not part of divine law and that it could licitly be changed by the pope.³⁰ Moreover, Henry may have been aware of a danger in the bishops' position which they themselves did not sufficiently appreciate. If Pope Nicholas IV were, in fact, to ignore the warning of the French bishops and endorse the friars' interpretation of *Ad fructus uberes*, then these bishops would have been placed in the dangerous position of asserting that a reigning pope had, in fact, violated divine law and thus fallen into heresy.

Hence Henry of Ghent was placed in a most awkward position at the end of 1288 when he came to treat again the question of the correct meaning of *Ad fructus uberes*. As the most prominent defender of the position of the secular theologians at the University of Paris he could not remain silent in the debate to influence the new pope.³¹ However, the strongest argument of the anti-mendicant coalition of Parisian secular masters and French bishops had been that the privilege of Martin IV, as interpreted by the friars in their writings, could not be granted lawfully by the pope since it violated the fundamental divine struc-

30 "Ad hoc dicendum primo quo ad potestatem infringendi statutum [*Omnis utriusque sexus*] per commissionem in hoc scilicet quod confessi illis [fratribus] quibus facta est commissio, non teneantur proprio sacerdoti parochiali iterum confiteri, quin enim papa quo ad hoc ipsum possit infringere, non est dubium Quamvis enim aliquibus videatur, si talis potestas universaliter concederetur fratribus utriusque ordinis, quod hoc esset ecclesiasticum ordinem pervertere et indirecte usum clavium a praelatis subtrahere et populum ab eorum obedientia et iurisdictione retrahere et quod hoc esset variare illud quod ordinatum est generaliter ad perpetuam ecclesiae universalis utilitatem, contra illud [distinctione] XXV, q. 2, *Que ad perpetuam* etc., ubi dicitur quod 'Papa non potest contra generale ecclesiae statutum nec contra articulos fidei sed contra statutum ecclesiae quod non est ita generale bene potest dispensare.' Tamen non est dubium quin dictum statutum *Omnis utriusque sexus* Papa posset per suam concessionem vere et proprie infringere, immo, posset per suam concessionem vere et proprie infringere, immo, posset ipsum revocare sicut ipse statuit." *Quodlibet* 7, q. 24, *Quodlibeta*, fol. 285v.

31 The election of Pope Nicholas IV early in 1288 caused the coalition of anti-mendicant French bishops and Parisian secular masters of theology to redouble their efforts to secure a papal interpretation of *Ad fructus uberes* in their favor. Thus, for example, two embassies were sent to the new pope; one in 1288 headed by representatives of the bishops, and another in 1289 led by the bishop of Amiens and the archbishop of Bourges. Moreover, at a national council in the spring of 1289 the French anti-mendicant bishops enacted stringent measures against the friars and the mendicant interpretation of *Ad fructus uberes*. These decrees, printed in Little, "Measures", pp. 50-53, begin thus: "Istum modum procedendi in negotio quod habent prelati Franciae contra praedicatorum et minorum hiis diebus, deliberato consilio cum magistris in theologia, magistris in decretis, et aliis viris peritis quos habere potuerunt. "Little, p. 50. In his article Little suggested that Henry of Ghent, as a close associate of the anti-mendicant French bishops, may have played a major role in the formulation of these decrees against the friars. In fact, Henry gave the opening speech to that council, edited by Schleyer, *Anfänge*, pp. 141-50; Hence Henry of Ghent's discussion of the correct meaning of *Ad fructus uberes* must be placed in the context of this renewed struggle of the French bishops and the Parisian secular masters against the friars' interpretation of that bull in order to influence Nicholas IV to act in favor of the secular coalition.

ture of the church. But Henry of Ghent could not say this now, at least prudently, since there was a real possibility that the new pope would endorse the friars' interpretation. Thus Henry wished to insinuate that the mendicant view violated the church's fundamental laws without, however, saying that the pope absolutely could not rule in favor of the mendicants.

In his discussion of 1288, therefore, Henry of Ghent was forced by circumstances to come to grips with the constitutional dilemma which had long been implicit in the protest of the Parisian secular masters against the pro-mendicant policy of several thirteenth-century popes. What was the intrinsic nature and limits of a ruler's sovereignty? How far was a ruler bound by the essential constitutional structure of the society he governed? How far did the immorality of a ruler's act invalidate its legality? These issues were only to be sharply perceived by the secular master Henry of Ghent at the end of 1288.

Henry began his discussion by distinguishing among three different types of a ruler's decrees. A first type included those acts which directly contradicted divine or natural law; for example, a ruler's command which directly harmed the welfare of his subjects. Henry called such decrees sinful and invalid and, in addition, asserted that commands of this kind were to be resisted by the community. As an example of this first type, Henry cited the case of a ruler who commanded a sword to be returned to a madman. Such an act, according to Henry of Ghent, was directly evil.³²

A second type of decree did not in itself contradict divine or natural law but could have this effect in certain circumstances. Henry labelled such commands as unjust and sinful, but they were not grounds for a ruler's deposition. They were within the ruler's power and thus valid, although sinful and unjust. As an instance Henry mentioned the case of a ruler who ordered a madman's sword returned to his brother. This decree would result in evil only in circumstances where the brother

³² According to Henry of Ghent, the ruler who thus mistakenly followed the universal moral imperative to return goods to their owners by giving back the sword to the madman, thereby harmed natural or divine law by seriously injuring his subjects' welfare. Referring his audience to Aristotle's discussion of this topic in his *Nicomachean Ethics*, 1137b, Henry wrote: "Legislator non potest concedere privilegium aut condere statutum ad quod sequitur in ecclesia subtractio debite reverentie et obedientie inferiorum ad suos superiores aut universaliter destructio ordinis ecclesiastici, quia hoc est magnum inconveniens et contra ius naturale et divinum, contra quod legislator nichil statuere potest aut concedere aut dispensare; puta quod furioso reddendus sit gladius, existente actu in furia, quem deposuit. Si enim legislatori statuenti generaliter quod gladius deponenti reddendus est talis casus occurreret, ipsum legis director excipiendum a statuto generali iudicaret secundum veridicam doctrinam philosophi, V *Ethicorum*." B.N. 3120, fol. 139rb.

could be expected to hand over the sword to the madman.³³ Finally the third category of decrees included all those orders which did not harm subjects under any circumstances.³⁴

Although at one point in his discussion, Henry of Ghent seems to have considered the possibility that a pope who endorsed the mendicant interpretation of *Ad fructus uberes* would directly contradict divine or natural law and thus merit deposition, this remark was out of character with the whole tenor of Henry's reasoning.³⁵ For elsewhere in his discussion, Henry flatly stated that he would restrict himself to a consideration of whether such a papal endorsement of the friars' views belonged to the second or third category of a ruler's acts, that is acts which were unjust and sinful, although to be obeyed by the subjects, or acts which were both just and licit.³⁶ Henry thereby protected himself against the contingency that Pope Nicholas IV would, in fact, sanction the friars' interpretation. Henry's refusal to seriously consider whether such a papal act belonged to the first category of a ruler's decrees was characteristic of the conservative attitude of most of the thirteenth- and fourteenth-century secular theologians who opposed the mendicant privileges. In the last resort, none of the men who objected to the manner in which the papal plenitude of power was exercised on the friars' behalf would ever argue that this furnished grounds for the deposition of the pope.³⁷ It was at this point in his discussion that Henry introduced the distinction between absolute and ordained powers.³⁸

33 "Secundum autem modo bene quandoque sequitur inconveniens in statuto vel privilegio existente in se iusto et equo, saltem in casu, verbi gratia, si statueretur quod gladius depositus a furioso redderetur fratri suo sano. Ex hoc enim non sequeretur inconveniens dictum nisi ex prava dispositione occulta huiusmodi sane, qua gladium sibi redditum vellet tradere furioso ut vel se vel alium occideret." B.N. 3120, fol. 139va.

34 Although Henry of Ghent did not explicitly refer to this third type of decree at the outset of his discussion, he did, as we shall see, assume its existence, that is, of decrees promulgated by a ruler's ordained power which were neither unjust nor illicit.

35 "Secundum predictum modum videat ergo dominus papa an possit de potentia ordinata secundum regulam iusticie talem exemptionem populo concedere super confessione ab ipso facienda fratribus an potius posset timere illud, si eam faciat, quod supradictum est: *Si papa et sue et fraterne salutis etc.* [D 40 c. 6]." B.N. 3120, fol. 140ra. The canonists often expressed their views on papal deposition as a gloss to this text of the *Decretum*. For this see Tierney, *Foundations*, pp. 57 ff.

36 "Statutum autem vel privilegium ad quod secundo modo sequitur inconveniens dictum, scilicet substractio debite reverentie etc., an hoc posset statuere aut concedere legislator, super hoc distinguendum, puto, de potentia absoluta et ordinata." B.N. 3120, fol. 139va. "Dico ergo de legislatore, qui est homo purus potens peccare et malum agere, quod de potentia absoluta bene potest statuere vel privilegium concedere ad quod sequitur secundo modo inconveniens predictum. Et hoc ideo quid in antecedente non statim apparet inconveniens, cuiusmodi, ut puto, est privilegium fratrurn secundum eorum intellectum" Fol. 139vb.

37 For instance, the secular master of theology William of Saint Amour, writing against the papal privileges to the mendicants in the 1250s and 1260s, consistently minimised the meaning of

Henry of Ghent defined absolute power as power used sinfully but validly. Thus unlike other theologians Henry refused to credit God with an absolute power by which he could perform acts that could not be done by his ordained power, since this implied that God could act unjustly.³⁹ However, this distinction, Henry claimed, was apposite in the

these papal grants. See, for example, a typical assertion by William cited by Congar, "Aspects", p. 55: "Verum si Dominus Papa infinitis et incertis a se vel ab Ecclesia non electis, et sibi non cognitis, vel probatis prius ... concedat in generali licentiam praedicandi, confessiones audiendi, poenitentias iniungendi, in quibus maxime consistit regimen animarum, non est verisimile quod per talem licentiam in generali concessam intendat eos facere universales apostolos ... habentes scilicet generalem et liberam potestatem exercendi praedicta officia in omni Ecclesia christianorum, irrequisitis praelatis ecclesiasticis vel invitis; cum Dominus Jesus Christus (cuius est vicarius generalis propter quod debeat in sua regimine imitari, tamquam eius generalis minister ...) dum esset in carne mortali, non nisi certas personas a se electas, conversatione expertas, et in suo disciplinatu probatas, miserit ad praedictum regimen animarum videlicet duodecim apostolos ... et septuaginta duos discipulos" For William of Saint Amour's career and writings, see Schleyer, *Anfänge*, and Congar, "Aspects". In addition to these works, see also the following studies: P. Glorieux, "Le conflit de 1252-1257 à la lumière du mémoire de Guillaume de Saint-Amour," *Recherches de théologie ancienne et médiévale*, 24 (1957), 364-72; P. McKeon, "The Status of the University of Paris as Pares Scientiarum: An Episode in the Development of Its Autonomy," *Speculum*, 39 (1964), 651-75.

38 In addition to the text printed at the end of this article, Henry of Ghent referred to the absolute and ordained powers of rulers in another work, *Quodlibet* XIV, q. 8. In this discussion he also equated absolute power with power sinfully and unjustly used, although licit. Here, for example, Henry argued that a ruler could levy taxes by his *potentia iuris* and not by his absolute power. He concluded this argument by stating: "Sed bene debent cavere sibi superiores quod nihil talium statuunt aut exigant quin saltem evidens sit ipsis quod sit ad communem utilitatem seu publicam, non tamen ad privatam et ponant statuta et edicta tam rationabilia ut procedant ab ipsis non de potentia facti sed iuris, nec de potentia absoluta sed de potentia relata, pensa rationis non errante. Nec video in hoc circa clericos aut laicos respectu suorum superiorum aliquam esse differentiam, licet prelati clericorum eo quod nullum haereditarium ius habent in suis dignitatibus sicut principes, facilius possunt deponi quam principes, et laici, nullo statuto superioris constricti, liberiores dispositionem de bonis suis habent quam clerici, eo quod bona clericorum, communicanda sunt pauperibus ultra id quod in proprios usus assumunt sicut aliqui de numero pauperum prout alias satis exposui." 2 *Quodlibet*, fol. 568r.

39 "Statutum autem vel privilegium ad quod secundo modo sequitur inconveniens dictum, scilicet substractio debite reverentie etc., an hoc posset statuere aut concedere legislator, super hoc distinguendum, puto, de potentia absoluta et ordinata. Licet enim circa Deum non contingat distinguere inter potentiam absolutam et ordinatam; Deus enim, eo quod peccare non potest, nichil potest de potentia absoluta nisi illud possit de potentia ordinata. Omnis enim potentia sua quocumque modo vadit in actum ordinata <est>." B.N. 3120, fol. 139va. Henry of Ghent also rejected the distinction between absolute and ordained powers as commonly applied by contemporary theologians to God's powers. See, for example, Henry's statements in his *Quodlibet* 2, q. 11. For those thirteenth- and fourteenth-century theologians who did apply these terms to God's powers, see the list compiled by Oakley, "Jacobean Political Theology," p. 334, nn. 55-56. To Oakley's list can be added Alexander of Hales, *Alexandri de Hales summa theologica*, ed. B. Klumper, 1 (Quaracchi, 1924), 207. However, not all the theologians in this period accepted this distinction as applied to God's powers. For example, Bonaventure seems to have rejected this distinction at one point in his career, *Sancti Bonaventurae opera omnia*, ed. studio et cura patrum collegii Sancti Bonaventurae, 1 (Quaracchi, 1883), 2, 778. Those theologians who did employ the terms absolute and ordained powers in their consideration of God's powers usually mentioned the example of

case of human legislators such as the pope who could act sinfully.⁴⁰ Henry even went so far as to identify the pope's absolute power with his plenitude of power.⁴¹ Henry thus argued that the pope certainly could abolish the need for reiterated confessions by his absolute power without, however, insisting that this could only be done by his absolute power. He suggested that although such a measure did not go counter to divine or natural law by its very nature, it could seriously subvert the church's divine structure under certain circumstances. For example, Henry asserted, in the early church such a privilege would have been beneficial because of the shortage of clergy and the obedience of subjects to their bishops and parish priests. However, under present conditions, Henry seemed to say, this measure would only aggravate the already widespread disobedience of subjects to their secular clergy.⁴²

God's damning Peter and saving Judas as an instance of God's absolute power, an example Henry of Ghent employed in his tract of 1288/89. However, since Henry of Ghent identified absolute power with power used sinfully and unjustly, he thus had to deny that God possessed such absolute power. The Peter-Judas example, without the distinction between absolute and ordained powers, dates to the late twelfth century at least. See, for example, its use about the year 1170 by the theologian Peter of Poitiers, *Sententie Petri Pictaviensis*, eds. P. Moore, M. Dulong, 2 (Notre Dame, Ind., 1943), 96.

40 "Dico ergo de legislatore, qui est homo purus potens peccare et malum agere, quod de potentia absoluta bene potest statuere vel privilegium concedere ad quod sequitur secundo modo inconueniens predictum." B.N. 3120, fol. 139vb.

41 To buttress his description of the papal (absolute) plenitude of power as sinful, Henry cited book 3, chapter 4 of Bernard of Clairvaux's *De consideratione*, *S. Bernardi opera omnia*, eds. J. Leclercq, H. M. Rochais, 3 (Rome, 1963), 444, 442; "De hoc enim videtur loqui beatus Bernardus, libro III ad Eugenium Papam; sic inconueniens: Erras, si ut summam ita et solam institutam a Deo existimas tuam apostolicam dignitatem. Non tua potestas sola est a Domino sed et mediocres sunt et inferiores. Idem in eodem: Honor <um> et dignitatum gradus et ordines quibuscunque suos seruare positi estis. Nunc autem subtrahuntur abbates episcopis, episcopi archiepiscopis, etc. Bonane species hec? Nimirum si excusari queat opus. Sicut facitando probatis vos habere plenitudinem potestatis, sed iusticie forte non ita. Facitis hoc, quia potestis; sed utrum et debeatis questio est. Ecce plana distinctio inter potentiam absolutam et ordinatam circa dominum papam. Quando beatus Bernardus aliquid facitando ostendit se habere plenitudinem potestatis, quam appelo potentiam absolutam, super quo dubitat an habeat potentiam iusticie, quam appelo potentiam ordinatam." B.N. 3120, fol. 140ra.

42 "Et sic dico quod papa de potentia absoluta potest tale privilegium fratribus concedere quia ad ipsum ex natura talis privilegii sive per se non sequeretur dictum inconueniens. Quia non sequeretur si homines in tali statu essent in quali erant ab initio homines primitive ecclesie in qua erant communes sacerdotes. Qui tunc congruebant propter magnam sacerdotum et populi devotionem quando sacerdotes non querebant circa populum que sua erant sed quod Ihesu Christi, nec, e converso, populus contra sacerdotem. Sed tunc quando refregescit caritas eorum multorum et habundat iniquitas, tale inconueniens de facili sequeretur et sic per accidens, scilicet ex prava sacerdotum dispositione et populi et eorum indeuotione. Unde dico quod papa posset de potentia eius absoluta modo tale privilegium fratribus concedere, et quod plus est, puto quod posset ecclesiam modernam ad statum primitivum in quo regebatur de communi sacerdotum consilio reducere. Hoc tamen salvo quod essent semper episcopi sicut tunc erant apostoli superiores aliis in ecclesia et similiter curati sicut tunc erant discipuli. Quod enim omnino non essent episcopi nec parrochiales sacerdotes in ecclesia loco apostolorum et discipulorum, ut duo ordines instituti a Christo in ecclesia omnino demolirentur, magnum inconueniens esset. Et an aliquis homo purus hec poterit facere, ipse dominus papa viderit et iudicet;" B.N. 3120, fols. 139vb-140ra.

This discussion of papal abolition of a subject's obligation to reiterate a confession made to a friar as a possible instance of the pope's absolute power was a clever stroke. Henry of Ghent thereby left his audience with the impression that a papal ruling in the friars' favor would be sinful and unjust without, however, quite committing himself to this view. Instead he hastened to assert that he did not intend to preclude the possibility that the pope could grant such a privilege by his ordained power.⁴³ Equally, however, Henry did not assert that the pope could so act by his ordained power and it would seem that Henry himself did not believe this to be the case. Finally Henry ended his discussion by raising the question of the proper response should the pope decide in the friars' favor. He suggested that prelates and other learned men should humbly beg the pope to revoke his decision, patiently explaining the harm it caused the church.⁴⁴

Several things are noteworthy about Henry of Ghent's discussion. First Henry was the first theologian to focus clearly upon the real issue between the seculars and the medicants — the nature and limits of papal sovereignty. In discussing this, he used the same constitutional language in considering how far the pope was bound by the constitutional structure of the society he governed as his near-contemporary Bracton did in considering the powers of King Henry III.

Second, Henry of Ghent's understanding of the distinction between the absolute and the ordained powers of the pope was unique. In contrast to earlier canonistic usage, Henry regarded absolute power as power used sinfully and wrongly. The canonists had, however, defined the pope's absolute power as his right to act outside the ordinary course of the law to meet emergencies.⁴⁵ It was this conception of a

43 "Secundum predictum modum videat ergo dominus papa an possit de potentia ordinata secundum regulam iusticie talem exemptionem populo concedere super confessione ab ipso facienda fratribus an potius timere illud, si eam faciat, quod supradictum est: *Si papa et sue et fraterne salutis etc.*" B.N. 3120, fol. 140ra.

44 "Sed si forte contingeret quod dominus papa fratribus tale privilegium ut affectant habere, daret et per illud moderno tempore populum a iurisdictione prelatorum universaliter eximendo reduceret ecclesiam, in quantum tangit fratres, ad statum primitivum, puto quod supplicandum esset ei humiliter in principio ab universis episcopis et prelati curam habentibus quod dictum privilegium revocaret et esset ei exponendum a viris litteratis qualia inconvenientia ex hoc sequerentur. Quod si forte facere nollet, timendum esset ne satis cito scisma maximum et inobedientia subiectorum ad superiores suos orire<n> tur nisi aliter ecclesia Dei cito provideretur." B.N. 3120, fol. 140rb.

45 This is the meaning reported in earlier canonists by the Decretalist Hostiensis (d. 1271) in a work of his written about the year 1250, *Lectura in Quinque Decretalium Gregorianarum Libros*, 2 (Venice, 1581; rpt. Turin, 1965), 3. 35. 6, fol. 134r. Hostiensis' discussed here whether the pope could dispense a monk from his vows of poverty and chastity while still allowing him to remain a

ruler's absolute power which was to be regularly employed by medieval and Renaissance thinkers.⁴⁶ Henry's unique use of this distinction reflected his fundamental constitutional conservatism, for he undoubtedly was familiar with earlier canonistic uses of these terms.⁴⁷ The ruler, according to Henry, could not, apparently, justly employ an absolute, extralegal power for the community's good since he regarded such acts as inherently evil. The ruler could, nevertheless, validly employ such power although it was wrong.⁴⁸ Henry's conclusion that a pope or a secular ruler possessed such a sinful, but legitimate absolute power was unlikely to be adopted by later thinkers. For Henry's political theory was impractical now that it was obvious that the assumption of extralegal powers by thirteenth-century monarchs would really benefit rather than harm their communities.

Finally, although Henry of Ghent's brief suggestion that a pope who adopted a pro-mendicant interpretation of *Ad fructus uberes* merited deposition made him the first anti-mendicant medieval theologian to clearly suggest a Conciliar solution to the secular-mendicant conflict,

monk: "Alii dicunt, quod licet votum sit de substantia monachatus, tamen hoc potest de plenitudine potestatis, quod non de potestate ordinata sed de absoluta, secundum quam potest mutare substantiam rei ..." Hostiensis himself adopted the distinction between absolute and ordained powers elsewhere in his commentary on the *Decretals* (5.31.8, fol. 72v). He asked whether the pope could both suppress and unite monasteries in a diocese without first consulting the local bishop: "... Papa potest facere sine consilio ecclesiarum Sed nec Papa haec, vel alios casus sibi specialiter reservatos ... consuevit expedire sine consilio fratrum, id est Cardinalium, nec istud potest facere de potestate ordinaria ... licet secus de absoluta"

46 Oakley, "Jacobean Political Theology," pp. 323-37.

47 Henry explicitly cited Hostiensis at one point in his discussion: "Et hoc ideo quid in antecedente non statim apparet inconveniens, cuiusmodi, ut puto, est privilegium fratrum secundum eorum intellectum, dicente Ostiense: *Si quilibet posset sibi confessorem eligere et non oporteret eum habere confessorem determinatum, hoc esset ecclesiis nimis iniuriosum et contingeret inde distrumpi vinculum ecclesiasticae discipline et quamlibet esse acephalum*;" B.N. 3120, fol. 139vb.

48 Some kind of emergency absolute power seems to have been presupposed by those writers in the earlier part of the thirteenth century who asserted that the pope or the prince could, in cases of extreme necessity of the community, act outside the ordinary course of law, even though these writers do not seem to have actually employed the terms absolute and ordained powers. In fact, an earlier anti-mendicant thinker at Paris, Gerard of Abbeville, seemed to credit the pope with such emergency powers in his quodlibetal discussion of about 1265. Inquiring whether the pope could dispense a nun from her vows to marry a Moslem emperor for the good of the entire church, Gerard responded: "Potest ergo papa dispensare cum tali coniugio de plenitudine potestatis et eam absolvere a voto et ab habitu, presertim unde eminet universalis ecclesie maxima utilitas et urgens ac evidens postulat necessitas ... quia publica utilitas preferenda est private Non ergo bene intelligunt regulas ecclesiasticas, qui hoc negant causa necessitatis vel utilitatis fieri posse, quociens communis necessitatis vel utilitatis fieri posse, quociens communis necessitas aut utilitas persuaserit." Cited in Post, *Studies*, p. 268. For Gerard of Abbeville's doctrines, see the following studies: Schleyer, *Anfänge*; Congar, "Aspects"; P. Glorieux, "Pour une édition de Gerard d'Abbeville," *Recherches de théologie ancienne et médiévale*, 19 (1937), 56-84.

Henry's radicalism should not be overstressed. For it should also be remembered that Henry's cautious and conservative nature precluded him from leaving his audience with the impression that he himself favored such a solution. The passage in which he expressed this view was only a brief aside. Moreover, elsewhere he explicitly admitted that the pope could abolish annual confession to the parish priest without violating divine law and so meriting deposition. Writing during the winter of 1288/89 when it appeared that the new pope, Nicholas IV, would end the secular-mendicant quarrel by endorsing the friars' interpretation of *Ad fructus uberes*, Henry of Ghent deployed an entirely new argument. By insisting that the canon *Omnis* was part of divine law and thus totally outside papal jurisdiction, some French bishops had merely utilized a line of argument already common to medieval thinkers. Henry rejected their view and, in fact, the main thrust of his argument lay elsewhere. His attempt to mark off an area of papal action, that area pertaining to the pope's absolute power which, although it did not violate divine law was, nevertheless, sinful because it harmed the community's well-being by violating its fundamental laws, was much more forward-looking and novel than the bishops' position. It is true that Henry did not quite go so far as to assert that the pope could be deposed for actions of this kind. Nevertheless, his argument was moving in the direction of subjecting the pope to certain fundamental laws of the community he governed.

The hesitations in Henry of Ghent's argument should be stressed because, in the last resort, Henry, like the other thirteenth- and fourteenth-century anti-mendicant secular theologians, never called for the deposition of a pope who had favored the friars. Despite his bitter disagreement with decades of pro-mendicant papal policy, Henry of Ghent never did challenge papal headship of the church. This was in sharp contrast to the early-fourteenth-century thinker Marsilius of Padua who, also doubting the wisdom of papal policy, was led to question the very institution of the papacy. At a council held at Paris in 1290, Pope Nicholas IV announced through cardinal-legates that the friars' interpretation of *Ad fructus uberes* was correct and also that the secular theologians were to cease their discussions on this subject.⁴⁹ Henry of Ghent, characteristically, did not call for the convocation of a

49 The text of this council and of the reactions of the anti-mendicant coalition of French bishops and Parisian secular masters has often been printed: H. Finke, *Aus den Tagen, Quellen*, pp. III-VII; *idem*, "Das Pariser Nationalkonzil Vom Jahre 1290," *Römische Quartalsschrift*, 9 (1895), 171-82. The two papal legates were the Cardinals Benedict Gaetani and Gerard of Parma.

General Council to depose Nicholas IV nor did he attack the pope's position as head of the church. Instead, he protested the novel papal ban on discussion for which he was immediately suspended from teaching by one of the legates. Henry thereupon submitted to the papal decision, retired from academic life, and died three years later.⁵⁰

Scarsdale, N.Y.

⁵⁰ "Magister autem Hinricus de Gandavo, qui multa disputaverat de privilegio et de duodecim peciis librum ediderat, hiis auditis, convocat magistrorum presentiam, persuadens ipsis ut se dictis cardinalibus opponerent, dicens: "Cum liceat nobis de evangelio disputare, cur non de privilegio?" Quod cardinales minime latuit. Unde dominus Benedictus, vocans magistrum Johannem de Murro et magistrum Egidium, precepit eis quod predictum magistrum Hinricum ab officio lectionis suspenderent. Quod factum fuit." Finke, *Aus den Tagen, Quellen*, pp. V-VI. The Franciscan master of theology John of Murro referred to became Minister-General of his Order in 1296 and a cardinal in 1302. Master Giles of Rome ('magistrum Egidium') became archbishop of Bourges in 1295, succeeding the anti-mendicant Simon of Beaulieu who was made a cardinal and called to the Curia by Pope Celestine V in 1294. Cardinal Benedict Gaetani ('dominus Benedictus') succeeded Celestine as Pope Boniface VIII at the end of 1294.

BIBLIOTHÈQUE NATIONALE, MANUSCRIT LATIN 3120
FOLS. 139rb-140rb

<D>ecima ratio talis erat. Legislator non potest concedere privilegium aut condere statutum ad quod sequitur in ecclesia subtractio debite reverentie et obedientie inferiorum ad suos superiores aut universaliter destructio ordinis ecclesiastici, quia hoc est magnum inconveniens et contra ius naturale et divinum, contra quod legislator nichil statuere potest aut concedere aut dispensare; puta quod furioso reddendus sit gladius, existente actu in furia, quem deposuit. Si enim legislatori statuenti generaliter quod gladius deponenti¹ reddendus est talis casus occurreret, ipsum legis director excipiendum a statuto generali iudicaret secundum veridicam doctrinam philosophi, V *Ethicorum*.² Sed secundum intellectum fratrum, ut dicunt prelati, ad privilegiorum ipsorum concessionem sequitur in ecclesia subtractio debite reverentie. Ergo etc. Ergo legislator, ut papa, tale privilegium secundum intellectum et voluntatem fratrum non potest concedere. Consequens falsum est, ergo et antecedens. Consequentis falsitas patet quia tale privilegium concedendo non concedit papa nisi quod suum est cum ipse sit omnium curatus immediatus.

Dico quod maior propositio que videtur facere pro fratribus distinguenda est, quia ex aliquo, puta ex statuto vel privilegio, inconveniens aliquando sequitur dupliciter; uno modo per se et ex natura statuti aut privilegii sed ex alio ex[in]trinsecus (139rb/139v) subveniente. Primo quidem modo inconveniens non sequitur ex statuto aut privilegio nisi ipsum statutum aut privilegium in se sit inconveniens et contra divinum ius et naturam,³ verbi gratia, si statuitur⁴ quod gladius depositus a furioso in omnem eventum esset reddendus et ipsi existenti in furia; sequeretur enim ex hoc per se quod seipsum occideret, scilicet in hora furie, vel alium.

Secundum autem modo bene quandoque sequitur inconveniens in statuto vel privilegio existente in se iusto et equo, saltem in casu, verbi gratia, si statueretur quod gladius depositus a furioso redderetur fratri

¹ MS: deponendi.

² *Nicomachean Ethics* V, 1137b. Text not yet available in the *Aristoteles Latinus* edition.

³ MS: naturem.

⁴ MS: statur.

suo sano. Ex hoc enim non sequeretur inconveniens dictum nisi ex prava dispositione occulta huiusmodi sane, qua gladium sibi redditum vellet tradere furioso ut vel se vel alium occideret.

Dico ergo quod statutum vel privilegium ad quod primo modo sequitur inconveniens dictum, scilicet⁵ substractio debite reverentie etc., non potest concedere legislator quicumque fuerit ille quia esset contra ordinem nature et divine iusticie, ut dictum est in probatione dicte maioris propositionis. Vel dicendum esset sic statuenti aut privilegium concedenti⁶ quod dicit Paulus apostolus, *Gal. II: Licet angelus de celo euangelizet nobis, propter quod euangelizatum est nobis, anatema sit;*⁷ Ex tali enim statuto generali vel privilegio periclitaretur ecclesia et ideo non potest: unde distinctione XL, capitulo *Si papa*, super illo *Quia cunctos ipse est adiudicaturus, a nemine est iudicandus, nisi deprehendatur devius a fide;*⁸ dicit glossa: *Certe credo, quod si notorium est crimen eius quodcumque, et inde scandalizatur ecclesia et incorrigibilis fit, quod inde possit accusari. Hic tamen specialiter fit mentio de heresi, quia et si occulta esset heresis, de illa posset accusari, sed de alio occulto crimine non possit.*⁹ Et tunc querit glossa: *Nunquid*¹⁰ *papa posset constituere quod non posset accusari ab heresi?* *Responsio. Non, quia ex hoc periclitatur tota ecclesia.*¹¹

Statutum autem vel privilegium ad quod secundo modo sequitur inconveniens dictum, scilicet substractio debite reverentie etc., an hoc posset statuere aut concedere legislator, super hoc distinguendum, puto, de potentia¹² absoluta et ordinata. Licet enim circa Deum non contingat distinguere inter potentiam absolutam et ordinatam; Deus enim, eo quod peccare¹³ non potest, nichil potest de potentia¹⁴ absoluta nisi illud possit de potentia ordinata. Omnis enim potentia¹⁴ sua quocumque modo vadit in actum ordinata <est>. Si <c> enim Deus Iudam dampnavit et Petrum salvavit de potentia absoluta et ordinata (139va/139vb) secundum regulam iusticie. Si possit Iudam salvare et eum a dampnatione revocare et Petrum dampnare atque eum a salute repellere, hoc non potest de potentia absoluta quin etiam hoc possit de

5 MS: sed.

6 MS: concedent.

7 *Gal. 18.*

8 D. 40; c. 6.

9 Johannes Teutonicus, *Glossa Ordinaria to the Decretum*, in *Decretum Gratiani ... una cum glossis* (Paris, 1601), D. 40, c. 6, a *fide devius*.

10 MS: nonquid.

11 See above, note 9.

12 MS: persona.

13 MS: predicare.

14 MS: persona.

potentia ordinata secundum regulam iusticie, sed alterius quam presentia secundum quam unum hactenus dampnavit et alterum salvavit. Propter hoc satis declaratur in nostri XI *Quodlibet*.¹⁵ Circa hominem tamen purum bene contingit distinguere inter potentiam¹⁶ absolutam et ordinatam. Homo enim purus, eo quod peccare potest, aliquid potest, large accipiendo potentiam, de potentia absoluta quod non potest de potentia ordinata.

Dico ergo de legislatore, qui est homo purus potens peccare et malum agere, quod de potentia absoluta bene potest statuere vel privilegium concedere ad quod sequitur secundo modo inconueniens predictum. Et hoc ideo quid in antecedente non statim¹⁷ apparet inconueniens,¹⁸ cuiusmodi, ut puto, est privilegium fratrum secundum eorum intellectum, dicente Ostiense: *Si quilibet posset sibi confessorem eligere et non oporteret eum habere confessorem determinatum, hoc esset ecclesiis nimis iniuriosum et contingeret inde disrupti vinculum ecclesiastice discipline et quamlibet esse acephalum*.¹⁹ Et hoc, quam aliquid iniuriosum esset summo pontifici si non omnes universaliter obediens essent, XC distinctione, *Obedientiam* et capitulis sequentibus.²⁰ Et similiter quemadmodum iniuriosum esset episcopis si sub eorum obedientia non essent clerici secundum quod ibidem scribitur capitulo:²¹ *Nulla ratione clerici aut sacerdotes habendi sunt, qui sub nullius episcopi disciplina et providentia gubernantur. Tales enim acephalos, id est sine capite, prisca consuetudo noncupavit*.

Et sic dico quod papa de potentia absoluta potest tale privilegium fratribus concedere quia ad ipsum ex natura talis privilegii sive per se non sequeretur dictum inconueniens. Quia non sequeretur si homines in tali statu essent in quali erant ab initio homines primitive ecclesie in qua erant communes sacerdotes. Qui tunc congruebant propter magnam sacerdotum et populi devotionem quando sacerdotes non querebant circa populum que sua erant sed²² quod Ihesu Christi, nec, e converso, populus contra sacerdotem. Sed tunc quando refregescit caritas eorum multorum et habundat iniquitas, tale inconueniens de

15 *Quodlibeta Magistri Henrici Goethals a Gandavo*, 2 vols. (Paris, 1518; rpt., Louvain, 1961), 2, fols. 439v-440v.

16 MS: persona.

17 MS: statum.

18 MS: conveniens.

19 I have been unable to locate this citation in Hostiensis. But see, however, a similar statement in 5.38.12, fol. 102b, *Lectura in quinque decretalium gregorianarum libros*, 2 (Venice, 1581; rpt. Turin, 1965).

20 D. 93, c. 8.

21 D. 95, c. 5.

22 MS: secundum.

facili sequeretur et sic per accidens, scilicet ex prava sacerdotum dispositione et populi et eorum indevotione.²³ Unde dico quod papa posset de potentia eius absoluta modo tale privilegium fratribus concedere et, quod plus est, puto quod posset ecclesiam (139vb/140ra) modernam ad statum primitivum in quo regebatur de communi sacerdotum consilio reducere. Hoc tamen salvo quod essent semper episcopi sicut tunc erant apostoli superiores aliis in ecclesia et similiter curati sicut tunc erant discipuli. Quod enim omnino non essent episcopi nec parrochiales sacerdotes in ecclesia loco apostolorum et discipulorum, ut duo ordines instituti a Christo in ecclesia omnino demolirentur, magnum inconveniens esset. Et an aliquis homo purus hec poterit facere, ipse dominus papa viderit et iudicet.

De hoc enim videtur loqui beatus Bernardus, libro III ad Eugenium Papam;²⁴ sic inconveniens: *Erras, si ut summam ita et solam institutam a Deo existimas tuam apostolicam dignitatem. Non tua potestas sola est a Domino sed et mediocres sunt et inferiores. Idem in eodem:*²⁵ *Honor <um> et dignitatum gradus et ordines quibuscumque suos servare positi estis. Nunc autem subtrahuntur abbates episcopis, episcopi archiepiscopis, etc. Bonane species hec? Nimirum si excusari queat opus. Sicut factitando probatis vos habere plenitudinem potestatis, sed iusticie forte non ita. Facitis hoc, quia potestis; sed utrum et debeatis, questio est.* Ecce plana distinctio inter potentiam absolutam et ordinatam circa²⁶ dominum papam. Quando beatus Bernardus aliquid factitando ostendit se habere plenitudinem potestatis, quam appello potentiam absolutam, super quo dubitat an habeat potentiam iusticie, quam appello potentiam ordinatam. Quod si ita est in exemptionibus particularibus, multo fortius ergo et in exemptione universali qua fratres volunt eximi a prelati omnem populum subiectum illis. Secundum predictum modum videat ergo dominus papa an possit de potentia ordinata secundum regulam iusticie talem exemptionem populo concedere super confessione ab ipso facienda fratribus an potius posset timere illud, si eam faciat, quod supradictum est: *Si papa et sue et fraterne salutis etc.*²⁷

Unde si beatus Bernardus suo tempore sic se opposuit exemptionibus sive dispensationibus particularibus, quantum, quaeso, opponeret se modo, si viveret, universali exemptioni populi quam petunt fratres? Quid autem beatus Bernardus sentiat ex tali dispensatione profuturum

²³ D. 95, c. 5.

²⁴ Bernard of Clairvaux, *De consideratione*, 3, 4, 17, *Sancti Bernardi opera omnia*, eds. J. Ledercq, H. M. Rochais, 3 (Rome, 1963), 444.

²⁵ *De consideratione*, 3, 4, 14, p. 442.

²⁶ MS: inter.

²⁷ D. 40, c. 6.

si fiat, ipsemet bene exponit ibidem, quasi ex predictis arguendo contra seipsum sic inconveniens in persona domini pape loquentis ad ipsum et ipso respondente²⁸ (140ra-140rb): *Quid inquis? Prohibes dispensare? Non, sed dissipare. Non sum*²⁹ *ego tam rudis ut ignorem vos dispensatores, sed in edificationem, non in destructionem. Deinde quare inter dispensatores: ut fidelis quis inveniatur. Ubi necessitas urget, excusabilis est dispensatio; ubi utilitas provocat, dispensatio est laudabilis. Utilitas, dico, non propria sed communis. Nam cum nichil horum est, non plane fidelis dispensatio est, sed crudelis dissipatio. Unde in talibus dispensationibus et exemptionibus faciendis contra populum in privilegio fratrum, non debet dominus papa tam intendere propriam utilitatem fratrum quam publicam totius populi.*

Sed si forte contingeret quod dominus papa fratribus tale privilegium ut affectant habere, daret et per illud moderno tempore populum a iurisdictione prelatorum universaliter eximendo reduceret ecclesiam, in quantum tangit fratres, ad statum primitivum, puto quod supplicandum esset ei humiliter in principio ab universis episcopis et prelatis curam habentibus quod dictum privilegium revocaret et esset ei exponendum a viris litteratis qualia inconvenientia ex hoc sequerentur. Quod si forte facere nollet, timendum esset ne satis cito scisma maximum et inobedientia subiectorum ad superiores suos orire<n>tur nisi aliter ecclesia Dei cito provideretur.

Dico ergo quod loquendo de potentia ordinata secundum regulam iusticie, qua scilicet papa, concedendo tale privilegium, non peccaret si ipsum concederet, an ipse isto tempore tale privilegium concedere possit fratribus, ego non video nec assero ne forte veritati contrarier; non tamen denego ne videar ponere os in celum. Sed ipse dominus papa viderit et iudicet; sua enim interest. Et sic eo modo quo in predicto argumento: maior propositio est vera sive antecedens est verum; vera est conclusio sive consequens. Et eo modo quo est falsa, et conclusio est falsa.

²⁸ *De consideratione*, 3, 4, 18, p. 445.

²⁹ MS: sine.

STEPHANUS DEMONASTERIO AND THE NOTARIAT AT AUBENAS IN THE EARLY FIFTEENTH CENTURY

John Pryor

IN the possession of the Pontifical Institute of Mediaeval Studies in Toronto there is a small, unpublished, early fifteenth century notarial cartulary. It belonged to a well-known notary of Aubenas, Stephanus Demonasterio, who practised at the turn of the fourteenth and fifteenth century and held his notarial licence from the Bishop of Viviers, within whose diocese the town lay. The cartulary is numbered "6" on the spine, and therefore was the sixth in a series of at least eleven, as we learn from f. 47v which has a cross-reference to a document in lib. 11, f. 18. In fact there must have been at least twelve, since another eleven cartularies of the same notary, covering the period 1367-1412, are extant in the Archives du Département de l'Ardèche.¹

The cartulary consists of 79 documents on 56 folios of coarse, poor quality paper measuring between 14.5 x 21 cms. and 15.5 x 22 cms., roughly cut and much yellowed but generally in good condition. The text is almost completely legible but the parchment document forming the cover has holes in it, apparently the work of rats or mice. The whole of one, and part of the other, original knots of rawhide thong holding the volume together at the spine, are still in place. On the back cover

¹ I owe this information to the kind assistance of M. Jean Charay, Conservateur des Antiquités et Objets d'Art de l'Ardèche. The other cartularies of Stephanus Demonasterio are in the Archives Départementales de l'Ardèche at Privas; they are as follows:

2 E 39	(1367-1370)	2 E 44	(1391-1394)
2 E 40	(1367-1375)	2 E 45	(1394-1399)
2 E 41	(1375-1377)	2 E 46	(1403-1412)
2 E 42	(1377-1381)	2 E 47	(1404-1405)
2 E 43	(1384-1388)	2 E 48	(1406-1410)
2 E 43(2)	(1388-1391)		

"Estienne de Monestier" is written upside down in a flowing hand of a much later date.

Of these 79 documents, 47 were redacted in Stephanus's office, his *operatorium*, while the other 32 were redacted in various places according to circumstances. Eighteen of these were in private homes, 4 in the *operatoria* of other notaries, 6 in the *Operatoria* of tradesmen of the town, 2 at a booth where a royal levy was held, one in the chambers of the curate of a local church, and one on the property alienated according to the ancient method of transferring property. The earliest reference in the cartulary to a document emanating from Stephanus's *operatorium* concerns a *policia*, dated 13 Oct. 1386, which is rehearsed in an instrument of 10 Sept. 1405.² The earliest document, of which it may be said that the transactions referred to were completed at the time when the document was drawn up, is this same instrument of 10 Sept. 1405. It is also the first document in the cartulary and consists of two *quaternia* sewn in after the rest had been bound. The latest of the documents is dated 17 Dec. 1411.³

To take down rough drafts of documents Stephanus used loose *quaternia* of rough paper rather than a bound notebook. These *quaternia* were later bound together in loose chronological order when there was occasion to do so and drafts of other documents were taken down on remaining blank pages. Several things point to this conclusion. As mentioned, the earliest of the documents was sewn into the cartulary after it had already been bound; the rest of the documents are not in strict chronological order;⁴ there are six folios left blank in the middle of the cartulary;⁵ and finally two drafts are written upside down on the back of another separately-sewn grouping of two *quaternia*.⁶ To bind this collection of loose papers Stephanus used an old unwanted *instrumentum* on parchment, dated 2 June 1397. This was the will of a certain Isabella, daughter of an Aubenas notary, Petrus de Ulmo, and wife of Niblerius de Morerio of Privas. If her children still minors at the time of her death 64 gold francs out of her goods and dowry were to be paid to her brother, Petrus de Ulmo junior, who was also to receive £100 Tours,⁷ for acting as her procurator.

² Doc. 3, ff. 2v-3r. Cf. Appendix I, doc. II, pp. iii-iv.

³ Doc. 73, f. 50v.

⁴ Cf. esp. Appendix II, docs. 46-79.

⁵ Ff. 24v-29v.

⁶ Docs. 27 & 28, f. 20v.

⁷ All sums of money are in the currency of Tours unless specifically stated otherwise.

Throughout the cartulary there are cross-references appended to scattered *notae* pointing out that there was a complete version of the document redacted elsewhere. These notes are written in a hand other than that of Stephanus and also other than that on the back cover. There is a particularly interesting example appended to a grant of access from one house to another.⁸ The document has the word "*alibi est ad plenum, Cave*" scribbled in the top left hand corner. This document is the same as another which is cancelled and which has the words "*nichil valet*" in Stephanus's handwriting in the margin.⁹ This draft is less complete stylistically than the former. Stephanus began by making the draft at f. 15v, decided that it was not good enough, cancelled it and then made the draft at f. 30r. Later a complete version of the contract, an *instrumentum*, must have been drawn up and copied into one of his other cartularies. The person who did the cross-referencing then gave this warning about the completed version.

* * *

As may be seen from the sigillatory clause to the cover *instrumentum*, the present volume is an example of the *cartularia* or *prothocollo* in which Stephanus kept drafts of his *notae*:

... et me Stephano Demonasterio notario, auctoritate domini nostri vivariensis episcopi, publico, qui de premissis notam recepi, et scripsi, in quodam meo cartulario seu prothocollo, debens inde publicum conficere instrumentum. De qua nota, instrumentum publicum extraxi, scripsi et grossavi manu mea propria et signo meo quo utor.

However, this cartulary contains not only *notae*, first drafts of contracts, but also *extensa*, copies of completed *instrumenta*. The second document of Appendix I is such an *extensum* and there are several more. One of them reveals that Stephanus had a clerk who sometimes drew up the final *instrumenta*.¹⁰

... et me Stephano Demonsterio notario, auctoritate domini nostri vivariensis episcopi, auctoritate domini nostri vivariensis episcopi, publico, qui in predictis interfui et de hiis notam recepi et scripsi. Ex qua hoc instrumentum publicum extrahi, scribique et grossari feci per fidelem mihi iuratum. Et facta collatione cum dicto meo clerico iurato, hic me subscripsi manu mea propria, et signo meo quo utor signavi.

⁸ Doc. 39, f. 30r. Cf. Appendix I, doc. IV(b).

⁹ Doc. 19, f. 15v. Cf. Appendix I, doc. IV(a).

¹⁰ Doc. 10, f. 10r.

A comparison of the terminology of *instrumenta* and *notae* can be revealing. In their extreme form *notae* left all of the accepted legal formulae to be filled in later by the notary. Thus the protocol of the first document of Appendix I reads: "Anno domino MCCCCVI et die IV^{ta} septembris. Domino Karolo" etc. In the full text of a completed *instrumentum* this would read somewhat as follows:¹¹

In nomine domini, amen. Anno incarnationis eiusdem millesimo quadingentesimo quarto et die IV^{ta} mentis septembris. Domino Karolo Dei gratia rege Francorum regnante, et reverendo in Christo patre et domino, domino Guillelmo eadem gratia vivariensi episcopo existente.

Notae were simply briefs designed to recall to the notary's mind the relevant details, when he later sat down to draw up the complete *instrumentum*. However, they might be more or less abbreviated according to the circumstances. If a particular document was important, if the person for whom it was drawn up was important, powerful, or wealthy, if the contract was unusual or contained unfamiliar clauses which the notary did not want to forget, or if perhaps the *instrumentum* was to be drawn up by his clerk, then Stephanus might fill in some of the clauses which he might normally leave abbreviated. An example of such a *nota* is given in the third document of Appendix I. Although the document is still sprinkled with "et ceteras", and although the promissory and renunciatory clauses are not given in full, the protocol is complete and the sigillatory clause is more complete than in more complete than in most *notae*. As well, Stephanus included a special renunciation pertaining to *laesio enormis* and took the pains to insert the fact that the buyer had requested the document from him. In a normal *nota* this last would have been taken for granted. We may only speculate on why it was included here but it may have to do with the fact that the land did not belong outright to the seller. It was held in emphyteusis from Johannes Maurelli, one of the Lords of the castel of St. Laurent-sous-Coiron, some 8 kilometres N.E. of Aubenas, and bailiff of the baron of Montlaur at Aubenas.¹² The direct involvement of such an important personage may have occasioned the slightly fuller treatment given the draft.

* * *

¹¹ Cf. Appendix I, doc. II.

¹² Doc. 22, f. 17r: ... personaliter constitutus coram nobili viro Johanne Maurelli, condomino castri Sancti Laurentii in Coyroto, Baiello baronem Montis Lauri et bavilo Albenatui Cf. Jean Charay, *Aubenas en Vivarais. Études historiques et archéologiques*, I (Aubenas 1950), p. 130. In 1406 the baron of Montlaur was Louis le Grand (1397-1441), the last of his line: *op.cit.*, II (Aubenas 1952), p. 275.

Stephanus's cartulary is a rich and varied source of information for the social history of Aubenas in the early fifteenth century. As we have seen, the baillif of the town during the years 1405-7 was one Johannes Maurelli.¹³ He was extremely active in municipal life and had heavy financial commitments in the town and surrounding countryside. In a similar situation to that of Appendix I, doc. III, land jointly belonging to him and to a noblewoman, Francesxha de Fayeto, was sold on 24 Aug. 1406 by the husband of the lessee.¹⁴ In drawing up the document Stephanus reserved the right of the owners to the usual rent. It is from this same document and from one other, that we learn that Johannes had a house at Aubenas as well as his castle at St. Laurent-sous-Coiron. Both documents were redacted, "... Albenatii in hospicio dicti nobilis Johannis Maurelli."¹⁵

On 14 Sept. 1406, Johannes received acknowledgment from one of his tenants, who had succeeded to an inheritance, that he held his land from him in emphyteusis as had his predecessor.¹⁶ On 2 Nov. he and his fellow owner, Guigo de Monte Bello, jointly leased a vineyard at Aubenas to Raymundus de Missols. Guigo must have had a larger share in the property since his share of the rent was to be 4 *sestaria* of wine and 9d. per annum, while Johannes was to receive only one *sestarium* of wine.¹⁷ This contract is particularly interesting in that it was the only one redacted outside the town, even though many others concerned rural property. On 4 Nov. Johannes and a Stephanus Montis Usclati mutually agreed to cancel a previous sale of a vineyard made by Johannes to Stephanus,¹⁸ and on 24 June 1407 Johannes and another joint owner, Margarita de Cecellis, received rents for lands which they had jointly leased to Michaelis de Montargiis and Vitalis de Ferreriis.¹⁹

In 1405 Johannes and three of the town's notaries, Guillelmus and Stephanus Rogerii, and Johannes Gayserii, acted as arbiters in a dispute between the Regents of the town and one of its citizens.²⁰ The ad-

13 For Johannes Maurelli cf. docs. 1, 9, 21, 22, 29, 34, 35, 40, 41, 52. Charay, *op. cit.*, I, p. 130, gives the dates 1404-6.

14 Doc. 29, f. 21r.

15 Docs. 29 & 30, ff. 21r & 21v.

16 Doc. 35, f. 23v.

17 Doc. 40, f. 31r.

18 Doc. 41, f. 31v.

19 Doc. 52, f. 38v.

20 Doc. 3, ff. 2r-5v. Cf. Appendix I, doc. II.

ministration of the town was in the hands of three annually elected Regents, *regentes*,²¹ who in 1405 brought a suit against one Johanetus de Costoveteri, the recent inheritor of an estate from his grandfather, Johanetus. The town claimed £60 as arrears on a tallage once levied in the town to pay for a royal subsidy and for other things. In defence, Johanetus's uncle acting for him, claimed that most of the 60 was forfeit and that arrears for 30 years only were owed, about £37. He also claimed that the town owed Johanetus 50 gold écus because in 1386 Johanetus had paid 3 gold francs on its behalf to the receiver of a particular subsidy, and that furthermore services performed by Johanetus, the grandfather, on the town's behalf while he was alive, more than compensated for the remainder of the £ 60. Eventually the suit was brought before these arbiters and they agreed that Johanetus should release the town from all claims with regard to the 50 gold écus. In return for paying a sum of £4 he was released by the town from all claims for arrears. A postscript to the document informs us that on 15 Nov. one of the Regents received this £4 from Johannetus's agent and that it was used to pay for metal and tin to decorate the church of St. Laurent at Aubenas.²²

Six other documents concern the town as a corporation. In one it sold the income from a meadow owned by a citizen who was in arrears for a tallage.²³ In another the Regents brought a roll to Stephanus which they wanted read aloud in the presence of witnesses and expalined in the vernacular.²⁴ We are told of the instrument only that it was an appeal of some sort beginning "*Cum oppressis*". The reading of this appeal took place on 2 July 1406 before four witnesses, two of whom were notaries.²⁵ On 23 July the Regents brought the appeal before Jacobus Steverini, notary in the court of the Baron of Montlaur at Aubenas. Again two of the witnesses were notaries. The August was set as the day on which judgement would be given. On that day, and again on the 17th, Franciscus de Manso, one of the Regents, appeared in

²¹ The cartulary provides the names of Regents for four years as follows:

1386 — Poncius Loverii, Stephanus Bariacii (F. 3r)

1405 — Franciscus Rafardi, Franciscus Loterii & Jacobus de Sancto Johanne (F. 2r)

1406 — Franciscus de Manso, Johannes Barnardi (notary), & Petrus de Podro (mercator) (F. 13v)

1407 — Bertrandus Scoroffici, Stephanus Ulachien & Johannes Turri (notary) (F. 34r & 50r)

CF. Charay, *op. cit.*, I, pp. 122-129, for remarks on the Regents of Aubenas.

²² Doc. 3, ff. 5r-5v.

²³ Doc. 16, ff. 13r-13v.

²⁴ Doc. 17, ff. 13-14v.

²⁵ Stephanus Demonasterio & Raymundus Robberti. See also Stephanus's cartulary for 1406-1410 (MS. 2 E 48), fol. 64v.

court but his opponent, *dominus R.*, failed to appear. Consequently the Regent sought a notarial record of the fact.

A third document contains a recognizance of a debt of various amounts owed by Johannes la Conba to the same curial notary, Jacobus Steverini, including one sum owed by Johannes to the town on his father's behalf, and by the town to Jacobus.²⁶ A fourth and a fifth documents, both dated 15 June 1407, give accounts of tallages begun in the town on 7 June 1405 and 7 Nov. 1406 and collected respectively by two of the Regents for 1405, Franciscus Rafardi and Franciscus Loterii.²⁷ More interesting is an instrument recording delivery to a courier about to leave for Paris, of an document recording an instrument of appeal against a royal subsidy, the answer received to that appeal, and two sealed letters. The appeal had been against the collection in the town of a subsidy for construction work on the Louvre.²⁸

Stephanus's cartulary is also revealing of very complicated patterns of land ownership in and around Aubenas. Joint ownership was extremely prevalent. As well as this we can discern local families in the process of building up and consolidating their holdings. In document III of Appendix I the garden bought by Stephanus Amblardi was contiguous with an house belonging to a relative, Michaelis Amblardi, and the meadow with that of a second relative, Johanetus Amblardi. A second example reveals a notary, Johannes Turri, (Regent in 1407) buying from the property of an estate, a small garden contiguous with a vinerward belonging to him. He was able to buy it a good price because the brother and heir of the deceased person to whom it had belonged, had decided that he did not want it.²⁹ A third example shows the same Johannes Turri exchanging with a young girl, Feliza the daughter of Bernardus Chalhatii, his flat beneath her house for a garden which she owned in the country. For some reason, probably familial, she now had need of the whole house.³⁰ A fourth and rather impressive example dates back to 1399 when a Stephanus Bariacii sold to Jacobus Steverini, the notary, two building lots just outside the "*Capraria*" gate at Aubenas. In 1406 the sale was ratified by Stephanus's son Johannes and at that time the two lots were contiguous, with a garden, a virgate, and

²⁶ Doc. 22, ff. 17r-18r.

²⁷ Docs. 48 & 49, ff. 34r-37r.

²⁸ Doc. 72, f. 50r. Cf. Appendix I, doc. V.

²⁹ Doc. 57, f. 42r.

³⁰ Doc. 6, f. 7r.

another piece of land, all acquired by Jacobus. Obviously he had been actively buying up property in that particular area.³¹

On 2 Nov. 1406 Raymundus de Missols leased a vineyard from Johannes Maurelli and Guigo de Monte Bello as we saw. The interesting thing is that the vineyard was contiguous with another leased by Johannes to a Petrus de Missols, with a vineyard and a garden owned by a Stephanus de Missols, and with other gardens owned jointly by Petrus and Raymundus.³² The evidence for consolidation of family interests in one particular area is conclusive. A final example may be adduced. On 14 June 1406 the wife of Jacobus Senglarii leased a vineyard to a cobbler of the town, Vitalis Coqui. It was contiguous with another owned by him.³³

*
* *

By fifteenth century the notariat in Southern Europe had become an immense institution. The proliferation of notaries was a severe problem and the authorities made repeated, unsuccessful attempts to limit their numbers.³⁴ These attempts were largely unsuccessful for two main reasons. Firstly the hereditary principle had entered the profession and, secondly, it was one of the few non-manual lay professions open to literate men not attracted to the calling of merchant. That the profession was indeed attractive and heavily populated at Aubenas may be seen from the fact that Stephanus makes mention of 22 notaries at Aubenas;³⁵ this in a town which was not one of the commercial centres where the notaries especially flourished. Not only were the notaries numerous, they also played an important role in the town's social, political, and economic life. Two of the nine Regents for 1405-7 were notaries.³⁶ In discussing their functions we will use the documents relating to five of the most important notaries at Aubenas as found in Stephanus's cartulary.³⁷

31 Doc. 32, f. 22v.

32 Doc. 40, f. 31r.

33 Doc. 46, f. 33r.

34 Cf. R. Aubenas, *Etude sur le notariat provençal au Moyen Age*, Aix en Provence, (1931), pp. 73-4.

35 Johannes Andegerii, Johannes Barnardi, Johannes Coli, Stephanus Demonasterio, Johannes Desiderii, Petrus Ferraudi, Johannes Gayserii, Johannes Genesisii, Johannes de Podro, Ludovicus Rafardi, Petrus Raynaudi, Raymundus Robberti, Guillelmus Rogerii, Stephanus Rogerii, Raymundus Sabbaterii, Johannes Selgoni, Jacobus Steverini, Johannes Symoyni, Johannes Turri, Petrus de Ulmo, Petrus Vitalis.

36 Cf. n. 21.

37 Johannes Turri — Doc. 4, f. 6r; doc. 6, f. 7r; doc. 10, f. 9r; doc. 14, f. 11r; doc. 27, f. 20v; doc. 37, f. 24r; doc. 38, f. 24r; doc. 57, f. 42r; doc. 72, f. 50r; doc. 73, f. 50v.

Because of their familiarity with legal precesses, notaries were frequently called upon to act as procurators for other people. In 1406 Johannes Steverini was appointed procurator by four men; once for a Martinus Chanterii, once for a royal officer, Johannes de Mes, once for a priest of Aubenas, and once for a Jacobus Audeberti.³⁸ The last of these is the most interesting in that it related to a suit of Petrus Teyserii of Javjac, originally brought against Petrus Riqueti, *iurisperitus* and procurator for Jacobus Audeberti, in an ecclesiastical court at Largentière. More procurators were required to handle the case and by this act Jacobus appointed no less than thirty seven in addition to Petrus Riqueti. Five of these were notaries of Largentière, twelve were notaries of Aubenas, five were notaries of Viviers and five were *iurisperiti* from Nimes. The practice of appointing large numbers of notaries and jurists to handle one's affairs was common and a matter of form. In four such documents twelve of the same notaries of Aubenas appeared three times, four of the same notaries of Viviers and four of the same *iurisperiti* of Nimes appeared three times, and four of the same notaries of Largentière appeared twice. It would seem that Stephanus Demonasterio had permanent arrangements with certain notaries and jurists at Aubenas and in other towns enabling him to appoint them procurator when he saw fit.

The two notaries Steverini, Jacobus and Johannes, were both attached to the court of the Lord of Montlaur at Aubenas. Stangely they appear to have been the only two such curial notaries. On 17 June 1406 Johannes was cited as receiver of an instrument in the court in which the town sold to Gonetus Benedicti for £2, the fruits for one year from a meadow belonging to Johannes Laurentii.³⁹ Jacobus was also one of those appointed procurator by Petrus Chastaneti and Johannes de Mes in 1406.⁴⁰ In the same year he was granted the use of the house of a Johannes Bariacii at Aubenas.⁴¹ The house was situated on the "*Carrería*

Johannes Steverini — Doc. 4, f. 6r; doc. 16, f. 13v; doc. 37, f. 24r; doc. 38, f. 24r; doc. 43, f. 32r.
Jacobus Steverini — Doc. 17, f. 14r; doc. 22, ff. 17r-18r; doc. 31, f. 22r; doc. 32, f. 22v; doc. 37, f. 24r;
doc. 38, f. 24r.

Johannes Selgoni — Doc. 4, f. 6r; doc. 8, f. 8r, f. 8r; doc. 11, f. 10v; doc. 12, f. 10v; doc. 37, f. 24r;
doc. 38, f. 24r; doc. 43, f. 32r.

Johannes Gayserii — Doc. 3, f. 3v; doc. 4, f. 6r; doc. 37, f. 24r; doc. 38, f. 24r; doc. 43, f. 32r; doc. 79, f. 56v.

³⁸ Ff. 32r, 24r, 24r, & 6r.

³⁹ Doc. 16, f. 13r.

⁴⁰ Doc. 37, f. 24r & doc. 38, f. 24r.

⁴¹ Doc. 31, f. 22r-22v.

de Trabe" between his wife's house and the church of St. Laurent; yet another instance of consolidation of family holdings. Earlier in the year Jacobus had received recognizance of a debt owed to him by Johannes la Conba for services performed in court and for arrears of a tallage owed indirectly to him.⁴²

Johannes Turri, Regent in 1407, was the most active of all the notaries. During 1406 he was appointed procurator four times; along with many others by Jacobus Audeberti, Johannes de Mes and the priest, and jointly with another notary, Petrus Vitalis, by Petrus de Montargiis and by the Regent Franciscus de Manso.⁴³ On 8 April 1406 he made two contracts with Feliza, the daughter of the late Bernardus Chalhatii and his wife Realta, who ratified and confirmed her daughter's contracts. The first of these has already been discussed.⁴⁴ In the second Johannes confirmed his possession of a piece of uncultivated land become his through acquisition of the property of her father.⁴⁵ On 28 May he acquired a meadow close to the nearby town of Antraigues in lieu of a debt of 8 which the debtor could not pay.⁴⁶ On 8 Dec. 1407, as we have seen, he purchased the estate of a Laurentius de Amenlerio and on 14 Oct. He delivered various documents to a courier leaving for Paris.⁴⁷ His last appearance in Stephanus's cartulary occurred when Stephanus drew up a document in his *operatorium* even though the contract did not concern him in any way.⁴⁸

Of Johannes Gayserii and Johannes Selgoni there is less to be said. They were both appointed procurators four times and Johannes Gayserii was one of the three arbiters of the dispute between the town and Johanetus de Costoveteri. His house was also used by Stephanus Demonasterio as the venue for drawing up a contract of marriage.⁴⁹ Johannes Selgoni was cited as being receiver of an instrument recording the transfer of a storehouse,⁵⁰ and on 29 April 1406 he leased a field outside the town from a local nobleman, Jarenius de Cedra, for an annual rent of 6d., payable at Christmas.⁵¹

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⁴² Doc. 22, ff. 17r-18r. For a similar example of arrears of a tallage being awarded to a third party cf. doc. 9.

⁴³ Doc. 27, f. 20v.

⁴⁴ Cf. p. 9, n. 30.

⁴⁵ Doc. 10, f. 9r-10r.

⁴⁶ Doc. 14, f. 11r. ⁴⁷ Doc. 76, f. 50r.

⁴⁸ Doc. 73, f. 50v.

⁴⁹ Doc. 79, f. 56v.

⁵⁰ Doc. 8, f. 8r.

⁵¹ Docs. 11 & 12, f. 10v.

Stephanus's cartulary is not important in its own right but it is interesting and, with the other eleven in the Archives du Département de l'Ardèche, it constitutes a valuable source for the social history of a small French town in the early fifteenth century. Although there is little material about trade and there are only two merchants mentioned at all,⁵² there is a great deal of information about the internal economic life of the town. Mentioned are six tailors, six cobblers, five mercers, three workmen, one butcher, one carpenter, one draper, one tax farmer, and one tax collector as well as the two merchants and twenty two notaries. The role of the notaries in municipal life is undeniably the most striking feature of the cartulary. Not only were they engaged in their specific trade, they were also deeply involved in public life and many types of economic activity. In the liason between the town and the bailiff, Johannes Maurelli, the notaries played a vital role and their role in municipal life in general was that of a nerve centre, a clearing house for the town's socio-economic life. Johannes Turri and the two Steverini appear to have been reasonably wealthy and were members of the dominant oligarchy of the town. The fact that they and other notaries were so often appointed procurators is indicative of the prestige with which they were regarded by society at large, and this prestige was expressed best by the fact that two notaries held the post of Regent during the three years covered by the cartulary.

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⁵² Ff. 15v & 51r.

APPENDIX I

SELECTED DOCUMENTS

I

Recognisance of a debt for 20 shillings Tours, owed by Stephanus Montis Usclati of Aubenas to Vitalis Coqui, a cobbler, for leather and shoes [f. 23v = App. II, n. 36].

Scriptum est pro Vitale Coqui Albenatii

Anno domini MCCCCVI et die iiij^{ta} septembris, domino Karolo etc. Stephanus Montis Usclati, mansor Albenatii, gratis et sine dolo per se et suos etc., mansor Albenatii, gratis et sine dolo per se et suos etc., confessus fuit debere Vitali Coqui presenti, pro se et suis, videlicet XX^{ti} solidos turonenses, et hec racione et ex causa resti corii et soculorum per ipsum a dicto Vitale habitorum et receptorum ut asserebat. Quos eidem solvere promisit hinc ad festum beati Germani una cum dampno etc. Sigilli domini Montis Lauri et domini episcopi vivariensis etc. Promittens, iurans, et renuncians etc.

Actum Albenatii in operatorio mei notarii infrascripti. Presentibus testibus; Stephano Granesii Albenatii, Stephano Remegerii Emalis.

II

Settlement by arbitration of a dispute between the the regents of Aubenas and one Johanetus de Costoveteri, grandson and heir of Johanetus de Costoveteri, over arrears of a tallage and other moneys owed by and to the grandfather [ff. 2r-5v = App. II, n. 3].

Scriptum est pro Johaneto de Costoveteri instrumentum. Pro Johaneto de Costoveteri Albenatii, et universitate Albenatii.

In nomine Domini, amen. Anno incarnationis eiusdem, millesimo quadringentesimo quinto et die x mensis septembris. Domino Karolo Dei gratia rege Francorum regnante et reverendo in Christo patre et domino domino Guillelmo, eadam gratia Vivariensi episcopo existente. Cum regentes universitatis Albenatii seu procurator eiusdem universitatis compelli fecerint Johanetum de Costoveteri, heredem Johannis de Costoveteri avique sui condam, pro sexaginta librarum turonensium,

salvo populi, in quibus dictus Johanetus de Costoveteri avus [suus]* dicti Johaneti dicte universitatis Albenatii tam pro bonis suis quam pro bonis suis quam pro bonis Bertrandi Audeberti tenebatur ratione et ex causa arrayracgiorum talliorum olim in dicta universitate indictorum et levare ordinatorum tam pro subsidiis regiis solvendis quam aliis negotiis dicte universitatis. Cumque ex hoc questiones ac debata essent et diu fuissent ac maiores fore sperarentur, inter dictum Johanetum de Costoveteri una cum nobili Guillelmo de Albone socero suo ex una parte, et Franciscum Rafardi et Franciscum Loterii conregentes dicte universitatis anni presentis et negotia eiusdem, una cum Jacobo de Sancto Johanne absente a loco Albenatii, ex parte altera, super eo videlicet et pro eo quod dicti conregentes nomine dicte universitatis petebant a dicto Johaneto de Costoveteri petereque et [exigere] exigere nitebantur ab eodem dictas / sexaginta librarum turonensium, salvo populi. In quibus tenebatur dicte universitatis ut supra recitatum est ex causa arrayracgiorum certorum taliorum per ipsum debitorum tam pro bonis Johaneti de Costoveteri avi sui condam, quam pro bonis sibi obventis de bonis Bertrandi Audeberti condam. Dicitusque nobilis Guillelmus de Albone socer dicti Johaneti de Costoveteri dicebat in contrarium et replicabat pro et nomine dicti Johaneti generis aui presentis, dictas sexaginta librarum turonensium superius petitas per dictos conregentes pro maiori parte esse prescriptas et quod dictus Johanetus eius gener non tenetur solvere dictas sexaginta librarum nisi tantummodo de triginta annis, quare non debebat de dictis sexaginta librarum turonensium nisi tantummodo triginta septem librarum turonensium vel circa. Dicebatque ulterius dictus nobilis Guillelmus de Albone pro dicto Johaneto genero suo quod dicta universitas tenebatur dicto Johaneto genero suo in quinquaginta scutis auri per Johanetum de Costoveteri avi dicti Johaneti generis sui, dicte universitatis mutuatis pro solvendo restam subsidii regii trium francorum pro foco Perretino de Cortenay receptore dicti subsidii ut constabat policia signata per Poncium Loverii et Stephanum Bariacii, conregentes tunc dicte universitatis, cuius quedam policie tenor talis est: Universitas Albenatii tenetur Johaneti de Costoveteri Albenatii in quinquaginta scutis auri ex causa veri et legalis mutui per ipsum facti regentibus / infrascriptis, et pro solvendo restam subsidii trium francorum auri pro foco debitorum Perretino de Cortenay, de tempore proxime lapso sine solutione lapsa

* Square brackets, [], are used to indicate cancellations.

mense madii, quos de bonis dicte universitatis sibi solvantur ad eiusdem Johaneti requisitionem. In quorum testimonium nos Poncius Loverii et Stephanus Bariacii, conregentes dicte universitatis, hanc policiam scribi fecimus per Stephanum Demonasterio notarium qui presens fuit in traditione dictorum quinquaginta scutorum, et in fine nos subscripsimus manu nostra propria. Anno domini M^o CCC^o LXXXVI et die XIII octobris. Ita est Poncius Loyer; ita est Stephanus Bariacii.

Item dicebat ulterius dictus nobilis nomine dicti generis sui dictam universitatem sibi Johaneto genero suo teneri in diversis pecunie summis, tam pro vadiis certorum annorum quibus [fuit] dictus Johanetus de Costoveteri avus suus fuit conregens dicte universitatis, quam pro diversis dietibus et laboribus factis per dictum Johanetum de Costoveteri avum suum tempore quo vivebat pro dicta universitate. Que omnia assendebant plus quam debeat dictus gener suus dicte universitati pro arrayracgiis petitis supradictis, que omnia sibi deffalquari petebat et restam dicto genero suo solvi et satisfieri requirebat.

Tandum, post plures altercationes et replicationes hinc inde factas, dicte partes nominibus quibus supra volentes et cupientes de predictis questionibus et earum singulis nec non et de omnibus et singulis questionibus, petitionibus, et rancuriis ac demandis que una pars ab altera petere et habere posset quacunque / de causa scita seu etiam ignorata usque in presentem diem ad pacem et veram concordiam devenire non vi nec dolo seu machinatione aliqua ad hec inducte, seducte seu ab aliquo circumvente, sed gratis et earum spontanea voluntate ut dicebant per se et suos heredes et successores quoscunque convenerunt de predictis questionibus, tractantibus, mediantibus et intervenientibus nobili viro Johanne Maurelli, bajello baronis Montis Lauri et bavilo Albenatii, Guillelmo et Stephano Rogerii et magistro Johanne Gayserii, notariis Albenatii, amicis dictarum partium in modum qui sequitur et in formam. In primis convenerunt transegendo et transactionem fecerunt partes iamdicte quibus supra nominibus tractantibus dominis tractatorum quibus supra, quod dictus Johanetus de Costoveteri tradat et tradere teneatur tradiditque realiter in presencia mei notarii et testium subscriptorum dictis conregentibus dictam policiam dictorum quinquaginta scutorum auri. Item convenerunt ut supra tractantibus dominis tractatorum quibus supra, quod dictus Johanetus de Costoveteri quitet et quitavit perpetuo dictam universitatem de dictis quinquaginta scutis auri, nec non et de omnibus aliis universis et singulis que ab ipsa universitate petere posset quacunque de causa usque in presentem diem. Item convenerunt ut supra tractantibus dominis tractatorum quibus supra, quod dicti conregentes nomine dicte

universitatis quitent et quitare teneantur quitaveruntque perpetuo dictum Johanetum de Costoveteri presentem, stipulantem, / et recipientem pro se et suis, de omnibus et singulis arrayracgiis talliorum quorumque dicte universitatis per ipsum Johanetum debitorum, tam pro se quam pro bonis Bertrandi Audeberti de toto tempore lapso usque in presentem diem. Item convenerunt ut supra tractantibus dictis dominis tractatoribus quibus supra, quod dictus Johanetus de Costoveteri det et solvat dareque et solvere promisit dictis conregentibus nomine dicte universitatis recipientibus, videlicet quatuor librarum turonensium solvendas hinc ad festum Omnium Sanctorum. Item convenerunt ut supra tractantibus dominis tractatoribus quibus supra, quod cum predictis et de predictis sit inter partes predictas quibus supra nominibus pax perpetua tranquillitas atque finis de questionibus supradictis. Que omnia supradicta et in presente instrumento contenta dicte partes et earum quelibet quibus supra nominibus grata, rata, et firma habentes, laudantes, hemologantes et confirmantes et confirmantes et ea omnia et singula supra et infrascripta vera esse, eaque ita attendere, servare, complere et contra non venire per se vel alium seu alios aliqua iuris vel facti ratione in parte aliqua sive toto, bona fide sua stipulatione sollemni vallate, promiserunt sibi ad invicem dicte partes, videlicet, dictus Johanetus per se et suos cum voluntate dicti soceri sui presentis, volentis, et consentientis [quibus supra nominibus] ex una parte, et dicti conregentes per se et successores suos quibus supra nominibus ex parte altera et sub obligatione et ypotheca expressa dictus Johanetus bonorum suorum et dicti conregentes / bonorum dicte universitatis. Et iuraverunt dicte partes et earum quelibet tactis ab ipsis et qualibet earundem Dei evangeliiis sacrosanctis pro maiori firmitate premissorum, et pro predictis omnibus universis et singulis melius, firmitus et securius attendendis, complendis, et contra non veniendis, supposuerunt se dicte partes et earum quelibet quibus supra nominibus et omnia bona predicta presencia et futura, vigori virtuti et compulcioni sigilli curie Albenatii domini Montis Lauri et sigilli domini vivariensis episcopi et suorum officiis in utroque foro per dictorum bonorum suorum predictorum captionem, venditionem, et distractionem, et alias prout vires, stilus, et cohercicio dictorum sigillorum et eorum cuiuslibet fieri [fieri] postulant seu requirunt.

Renunciantes dicte partes et earum quelibet in predictis omnibus et singulis et per pactum specialiter et expresse iuri dicenti transactionem factam cum religione iuris iurandi non valer, errorique facti doli exceptione, et in factum conditioni indebiti, sine causa, ob causam, et ob iniustam causam, et per pactum expressum petitioni et oblationi libelli

huius carte inpu gnacioni et transcripto induciis quibuscunque, et generaliter omni alii iuri civili et canonico, scripto et non scripto, generali et etiam speciali, et omni privilegio statuto et consuetudini quo, qua, vel quibus, adversus predicta vel predictorum aliqua in solidum vel in partem possent dicere, facere, vel venire aut per que predicta in totum / vel in partem possent aliquathenus infringi, annullari, invalidari seu etiam annullari, iurique dicenti generalem renunciationem non valere nisi precesserit specialis. De quibus omnibus et singulis supradictis dicte partes et earem quelibet petierunt, voluerunt ac etiam concesserunt sibi et earum cuilibet fieri publicum seu publica instrumentum seu instrumenta per me notarium infrascriptum dictamine si opus fuerit cuiuslibet sapientis, facti tamen substantia in aliquo non mutata.

Acta fuerunt hec Albenatii in hospicio magistri Johannis Gayserii notarii [Albenatii]. Presentibus testibus dictis dominis tractatorum [quibus supra] supradictis, [Poncio Gayserii], Guillelmo Poluselli, Poncio Gayserii Albenatii et me notario infrascripto.

Post hec, anno quo supra et die decima quinta mensis novembris, dicto domino rege quo supra regnante. Franciscus Rafardi conregens anni presentis dicte universitatis et negotia eiusdem per se et successores suos confessus fuit et recognovit se habuisse et recepis se ut asserebat a Jacobo solvendo nomine Johaneti de Costoveteri, videlicet dictas quatuor librarum turonensium supra in presenti instrumento contentas et expressatas. De quibus quatuor librarum turonensium dictus conregens dictum Johanetum de Costoveteri quitavit, liberavit perpetuo penitus et absolvit cum pacto de ulterius non petendo. Quas quidem quatuor librarum turonensium dictus Franciscus / solvit ut dixit Johanni Disderii in quibus sibi tenebatur universitas de maiori summa ex causa empconis metalli et stagni fini ab ipso habitis ad opus simbalorum ecclesia Sancti Laurencii Albenatii. Acta fuerunt hec Albenatii in operatorio mei notarii infrascripti. Presentibus testibus, magistro Petro Cantatoris, phisico, Fransisco de Manso, Albenatii, et me Stephano Demonasterio notario, auctoritate domini nostri vivariensis episcopi, publico, qui de premissis notam recepi et scripsi in meo cartulario seu prothocollo, debens inde publicum conficere instrumentum; de qua nota hoc instrumentum publicum extraxi, scripsi et grossavi manu mea propria et signo meo solito signavi in testimonium omnium et singulorum premissorum.

III

Sale of a garden and a meadow, reserving the rights of the owners.

Scriptum est instrumentum — pro Stephano Amblardi loci Dens Amblarts [f. 8v = App. II, n. 9].

In nomine domini, amen. Anno incarnationis eiusdam, M^o CCCC^o VI et die prima mensis januarii. Serenissimo principe domino Karolo Dei gratia rege Francorum regnante. In presencia mei notarii et testium subscriptorum personaliter constitutus, Johannes de Lussatio mandati Sancti Laurencii Vivariensis diocesis, non vi etc., per se et suos etc., vendidit perpetuo etc., Stephano Amblardi loci Dens Amblarts, mandati Sancti Laurencii, dicte Vivariensis diocesis, presenti etc., pro se et suis etc., videlicet quendam ortum situm in dicto mandato Sancti Laurencii, in dicto loco Dens Amblarts, confrontantem cum hospicio Johannis de Grepeyra et cum hospicio Michaelis Amblardi, et cum itinere publico quo itur usque Lo Grasel. Item quoddam pratum situm in dicto mandato in territorio Dens Amblarts, confrontantem cum hospicio Johannis de Grepeyra et cum hospicio Michaelis Amblardi, et cum itinere publico quo itur usque Lo Grasel. Item quoddam pratum situm in dicto mandato in territorio Dens Jauberts, confrontans cum prato Gui, et cum prato heredis Johannis Mas Solet et cum prato Johaneti Amblardi et cum suis aliis confinibus, iuribus et pertinentiis, introitibus et exitibus quibuscunque, pretio vero et nomine pretii triginta octo solidorum, ix denariorum, turonensium. Quod pretium confessus fuit esse amplum, legitimum atque iustum et ipsum confessus fuit habuisse [habuisse] et recepisse. De quibus ipsum quitavit perpetuo cum pacto perpetuo cum pacto de ulterius non petendo, plus valens dans etc., [verum] verum dominium etc., deinvestiens se etc., de evictione etc., deinvestiens se in manibus mei notarii, stupulantis et recipientis vice, nomine, et ad salvum nobilis Johannis Maurelli, a quo teneri domino in emphyteusim per traditione unius plume, sub censu annuato consueto. Promittens, iurans, renuncians etc., et specialiter iuri dicenti veditorum deceptum ultra dimidium iusti pretii etc. Sub sigillo domini Montis Lauri et domini episcopi etc. De quibus dictus venditor concessit dicto emptori petenti sibi fieri pactum, instrumentum per me notarium infrascriptum.

Acta fuerunt hec Albenatii, in operatorio mei notarii infrascripti. Presentibus testibus, Stephano Valantini, Dieveto Dalmatii Lussatii, Vitale Melareti Albenatii.

IV

Rough draft of agreement between Petrus Raynaudi, merchant, and Johannes Maleti, with respect to passage through an upper window of Maleti's house. t and tt are marginal additions. Parentheses () indicate interlinear insertions. The draft is cancelled. See IVb for the resulting *Nota*.

(a)

Nichil valet [f. 15v = App. II, n. 19].

Pro Petro Raynaudi, mercatore, et Johanne Maleti.

Anno domini M^o CCCC^o sexto et die x mensis julii. Domino Karolo etc. Petrus Raynaudi mercator Albenatii non vi etc., per se et suos etc., dedit potestatem et licenciam Johanni Maleti pro se et suis quod ipse vel sui (per se vel alium) possint perpetuo transire per fenestram superiorem hospicii dicti Johannis Maleti siti in clausone cum una eschala in traulicia dicti Petri, siti in clausone de novo per ipsum edificatum, pro eundo remenatum trauliciam dicti Johannis Maleti et pro faciendo saratas in dicta traulici totiens quotiens erit nesarium in dicta traulicia dicti Johannis, sine tamen dampno dando in traulicia dicti Petri, et casu quo dictus Johannes vel sui dampnum darent dictus Johannes (vel sui) reparare teneantur et promisit dictus Johannes suis dicti Johannis expensis.¹ Et ita attendere et contra non venire promiserunt unus alteri sub obligatione bonorum suorum et iuraverunt etc. De quibus quilibet petiit instrumentum.

Actum Albenatii in operatorio mei notarii infrascripti. Presentibus testibus, Petro de Vini sabbaterio Albenatii, Vitale de Chuovis Sancti Privati, Johannes Arnaudi Sancti Disderii.

t et simili modo dedit sibi Petro licenciam dictus Johannes Maleti faciendi [et transeundi per dictam fenestram pro eundo remenatum trauliciam " dicti Petri et faciendi saratas totiens quotiens erit nesarium in dicta traulicia dicti Petrii] sine dampno dando (dicto Johanni) et si daret emendare teneatur et promisit [suis dicti Petri expensis]

" et apilandi murum suum in muro dicti Johannis et faciendi saratas sic et prout extiterat ordinatum per Poncium Marqueti

(b)

Later *Nota* of same grant [f. 30r = App. II, n. 39].

Alibi est ad plenum, Cave!

Pro Johanne Maleti et Petro Raynaudi

Anno domini MCCCCVI et die x mensis Julii. Domino Karolo etc., Petrus Raynaudi, mercator Albenatii, non vi etc., per se et suos dedit licendam et potestatem Johanni Maleti pro se et suis etc., quod ipse per se et suos aut sui, per se vel alium, possint perpetuo transire per fenestram superiorem hospicii dicti Johannis Maleti, siti in clausone cum una eschala in traulicia dicti Petri, siti in clausone cum una eschala in traulicia dicti Petri, siti in clausone edificatum de novo pro eundo remenatum, et faciendi saratas in dicta traulicia dicti Johannis Maleti, totiens quotiens erit necessarium remenandi et saratas faciendi in dicta traulicia dicti Johannis, sine tamen dampno dando dicto Petro, et casu quo dampnum daret, dictus Johannes vel sui reparare et emendare teneatur eorum expensis. Et reparare et emendare promisit dictus Johannes. Et dictus Johannes Maleti dedit sibi licenciam apilandi murum suum dicti Petri in muro dicti Johannis et faciendi saratas sic et prout extitit ordinatum per Poncium Marqueti, sine tamen dampno dando dicto Johanni, et si dampnum daret, emendare teneatur et promisit. Et ita attendere et contra non venire promiserunt unus alteri sub obligatione bonorum suorum et iuraverunt etc. De quibus quilibet petiit instrumentum.

Actum Albenatii in operatorio mei notaii infrascripti. Presentibus testibus, Petro de Vini sabbaterio Albenatii, Vitale de Chuovis Sancti Privati, Johanne Arnaudi Sancti Disderii.

V

Record of the delivery of an instrument of appeal against a royal subsidy for the Louvre, the answer received to the appeal, and two sealed letters, to a courier leaving for Paris [f. 50r = App. II, n. 72].

Pro universitate Albenatii

Anno domini MCCCCVII et die XIII mensis octobris. Domino Karolo etc. Dominus Bertrandus Scoroffici et magister Johannes Turri, notarius, conregentes Albenatii, tradiderunt realiter in presencia mei notarii et testium subscriptorum Guillelmo Galhardi, presenti et suum iter incontinenti arripiendi Parisius, per dictos conregentes ad hoc destinato, instrumentum appellationis subsidii de Lovera receptum per

magistrum Petrum Ferraundi, notarium, sub anno presente et diebus quinta et XV septembris. Item aliud instrumentum in pede dicti instrumenti contentum, continens responcionem dicte appellationis receptam per magistrum Guillelmum Perandi sub anno predicto et die XXIX septembris. Item duas litteras clausas, quarum una dirigitur magistro Herberto Caunisii et alia magistro Raymundo Gairge et Michael Maleti. Item confessus fuit se habuisse a dictis conregentibus per manus Petri Coqui, unum scutum pro tradendo procurationibus et alium pro hemendatione litterarum predictarum. Item sec librarum turonensium pro salario sibi convento causa accedendi Parisius. De quibus dicti conregentes petierunt instrumentum.

Actum Albenatii coram operatorio magistri Johannis Turri, notarii. Presentibus testibus, Petro Coqui de Plachea, Johanne Maleti, Guillelmo Vitali Albenatii.

APPENDIX II

INDEX OF DOCUMENTS

(Entries marked with asterisk* are printed
in full in Appendix I)

Doc.	Folio	Date	Type	Contents
1	Cover	22 June 1397	— <i>Instrumentum</i>	— Will of Isabella, daughter of Petrus de Ulmo, a notary of Aubenas, and wife of Niblerius de Morerio of Privas.
2	1r-1 v	Index.		
* 3	2r-5v	10 Sept. 1405	— <i>Extensum</i>	— Settlement at arbitration of a dispute between the Regents of Aubenas and Johanetus de Costoveteri over arrears of a tallage and other moneys. (Sewn in separately). Full text printed above in App. I, doc. II.
4	6r	26 March 1406	— <i>Nota</i>	— Appointment of procurators by Jacobus Audeberti in the matter of a suit originally brought against his procurator, Petrus Riqueti, in an ecclesiastical court at Largentière, by Petrus Teyserii of Javjac.
5	6v	28 March 1406	— <i>Nota</i>	— Hire of Macelinus Laurentii by Petrus la Gleysa into his service as a tailor, for one year at a salary of 2 francs plus food.
6	7r	8 April 1406	— <i>Nota</i>	— Exchange of a vineyard belonging to Feliza, daughter of the late Bernardus Chalhatii, for an apartment belonging to Johannes Turri beneath Feliza's house in Aubenas.
7	7r-7v	14 April 1406	— <i>Nota</i>	— Promise by Petrus Jaufredi to pay Heustachius Privati of Vesseaux 36 shillings, the price of a wedding ring.
8	7v-8r	23 April 1406	— <i>Nota</i>	— Donation of a storehouse and small farm at Ucel by Guillelmus Chauleti of Ucel, now living at Chateauneuf-du-Rhône to Vitalis de Melareto of Aubenas. (Redacted more fully in lib. 2).
9	8v	1 Jan. 1406	— <i>Nota</i>	— Sale of a garden and a meadow at <i>Dens Jauberts</i> , by Johannes Larocho of Lussas to Stephanus Amblardi of <i>Dens Amblarts</i> , for 38/11. Full text in App. I, doc. III.
*10	9r-10r	8 April 1406	— <i>Extensum</i>	— Confirmation by Reala, wife of the late Bernardus Chalhatii and mother of Feliza, of the sale of a field in the district of <i>Colobretum</i> at Aubenas by her daughter to Johannes Turri.
11	10v	29 April 1406	— <i>Nota</i>	— Lease of a field in the district of <i>Plaucade</i> or <i>Conbe</i> at Aubenas, by Jarenius de Cedra to Johannes Selgoni (notary of Aubenas), for 6d. a year payable at Christmas.

Doc.	Folio	Date	Type	Contents
12	10v	29 April 1406 by Johannes Selgoni.	— <i>Nota</i>	— Acknowledgement of his lease
13	10v	15 May 1406	— <i>Nota</i>	— Sale of a vineyard in the district of Montargis at Aubenas by Vitalis Brialacii to Gonetus Turc of Fange for 16 shillings, subject to the annual rent to the owner, Margarita de Cecellis.
14	11r-12v	28 May 1406	— <i>Extensum</i>	— Donation in payment for an unpaid debt of £8, of a meadow in the district of <i>Blanchia Inferior</i> at Antraigues, by Petrus Chabioli of Antraigues to Johannes Turri, notary of Aubenas.
15	12v-13r	30 May 1406	— <i>Nota</i>	— Sale of an allodial property in the district of <i>Villate</i> in the parish of St. Safurian in the diocese of Mende, by Petrus Vitalis de Faya de Grando Rivo to Johannes Aurelha of <i>Villate</i> . Promise to protect the buyer from eviction and certain debts pertaining to the property.
16	13r-13v	17 June 1406	— <i>Nota</i>	— Sale by the town of Aubenas to Gonetus Benedicti of the fruits for one year from a meadow belonging to Johannes Laurentii, for £2.
17	13v-14v	2 July 1406	— <i>Nota</i>	— The regents of Aubenas brought a roll containing an appeal to be read aloud by Stephanus Demonasterio in the presence of witnesses and explained in the vernacular.
		23 July 1406	— <i>Nota</i>	— The regents brought the appeal before the baronial court. Aug. 16 was set as the day for delivery of judgment.
		16 Aug. 1406	— <i>Nota</i>	— The regent Franciscus de Manso again appeared in court but his opponent, <i>dominus R.</i> , failed to appear and the regent consequently asked for a notarial record of the fact.
		17 Aug. 1407	— <i>Nota</i>	— The regent Franciscus de Manso again appeared in court but his opponent, <i>dominus R.</i> , failed to appear and the regent consequently asked for a notarial record of the fact.
18	15r	9 July 1406	— <i>Nota</i>	— Recognizance of a debt for one écu, the price of wine, by Mondonus Bernardi of <i>Frayssenet</i> to Guillelmus Rogerii of Aubenas. (notary)
		12 Aug. 1406	— <i>Nota</i>	— Recognizance by Mondonus that 15 shillings remained to be paid. Promise to pay by the end of August.
		25 Aug. 1406	— Cancellation	— Cancellation of the contract by Guillelmus Rogerii.
*19	15v	10 July 1406	— <i>Nota</i>	— Grant of freedom of access through the upper window of a house belonging to Johannes Maleti, by Petrus Raynaudi, a merchant of Aubenas, to Johannes Maleti. Full text printed above in App. I, doc. IVa.
20	16r	10 July 1406	— <i>Nota</i>	— Recognizance of a debt of £3 for wine, by Johannes de Prato of Beaumont in the diocese of Viviers to Guillelmus Rogerii of Aubenas. (notary)
		14 Jan. 1407	— Cancellation	— Cancellation of the contract by request of the parties.

Doc.	Folio	Date	Type	Contents
21	16r-16v	16 July 1406	— <i>Nota</i>	Recognizance, by Johannes la Conba of Aubenas to Johannes Maurelli, of a debt for £13.12.0 for the rent of meadows during the years 1401-1404 which had produced a debt of £16 and for which partial payment had been made in ponie;
22	17r-18r	19 July 1406	— <i>Extensum</i>	— Recognizance of a debt by Johannes la Conba, as agent for his invalid father Arnaudus, to Jacobus Steverini, notary of Aubenas, as follows: £10 owed by Johannes to the town of Aubenas and by the town to Jacobus; £9.10.0 for writing and other services performed by Jacobus in the court at Aubenas; certain other monies.
23	18v	14 Aug. 1406	— <i>Nota</i>	— Bid by Johannes Bastida, a tax farmer, for a royal impost at a rate of 12d. in the pound, and for a tax of a halfpenny on each sale in the market place at Aubenas at a rate of two shillings in the pound, the total bid amounting to £40.
24	18v	20 Nov. 1406	— <i>Nota</i>	— Recognizance by Jacobus Vedilli of Aubenas that he held in emphyteusis from Guigo Rostagni and his wife Flandina de Trabe, a vineyard in the district of <i>Bono Vinali</i> at Aubenas, subject to an annual rent of three <i>sestarii</i> of wine.
25	19r	22 Nov. 1406	— <i>Nota</i>	— Release given to Petrus Del-tirador by Bernardus Foresii, tax collector at Aubenas, from a road toll, at a price of 16 gold florins.
26	19r-29r	6 Dec. 1397	— <i>Nota</i>	— Johannes de Sancto Disderio of St. Didier, near Aubenas, heir of Johaneta del Solayrol, his sister, recognised that Guillelmus del Solayrol (alias Lorea) and Johannes de Banchia, gave a feast as provided for by his sister in her will, to be paid for out of a sum of 6 florins and 4 shillings.
		20 Oct. 1397	— <i>Nota</i>	— Receipt by Johannes from Guillelmus del Solayrol of 4 gold francs and of 3 gold florins from the estate.
		5 June 1402	— <i>Nota</i>	— Receipt of 2 gold francs and 12/5 from Guillelmus.
		2 Nov. 1398	— <i>Nota</i>	— Receipt of 15 shillings from Guillelmus.
		21 Sept. 1398	— <i>Nota</i>	— Receipt of one gold franc from Guillelmus.
		16 May 1405	— <i>Nota</i>	— Receipt by Mondeta, wife of Johannes, of 10 shillings from Guillelmus.
		5 Dec. 1405	— <i>Nota</i>	— Receipt by Pascalis Sancti Desiderii, nephew of Johannes, of 26 shillings from Guillelmus.
		26 Nov. 1406	— <i>Nota</i>	— Receipt by Pascalis Sancti Desiderii, nephew of Johannes, of one gold florin from Guillelmus.
		31 May 1407	— <i>Nota</i>	— Recognizance by Johannes del Solayrol, executor of the estate of Johaneta del Solayrol, that Guillelmus del Solayrol paid certain sums to the amount of £6 as directed by the will.

Doc.	Folio	Date	Type	Contents
27	20v	11 Dec. 1406	— <i>Nota</i>	— Separate appointments by Petrus de Montargiis and Franciscus de Manso, of Petrus Vitalis and Johannes Turri as their procurators. (Upside down).
28	20v	13 Dec. 1406	— <i>Nota</i>	— Sale of half a field for three years by Stephanus Sabbaterii of St. Laurent-sous-Coiron to Vitalis Ceyssoni, for 40 shillings, subject to the provision that Vitalis pay an annual rent to Stephanus. (Upside down).
29	21r	24 Aug. 1406	— <i>Nota</i>	— Sale by Jacobus Senglarrii of Aubenas, of land belonging to his wife Bellona in the district of <i>Petra Lada</i> or <i>Del Mays</i> at St. Laurent, to Matheus Coayroni of St. Laurent-sous-Coiron for 32 shillings. (Cancelled and redacted in full elsewhere).
30	21 v	24 Aug. 1406	— <i>Nota</i>	— Confirmation of the terms on no. 29 by Matheus Coayroni and settlement of terms of payment.
31	22r-22v	7 Sept. 1406	— <i>Nota</i>	— Donation by Johannes Bariacii to Jacobus Steverini of authority and permission to make use of his house in the street " <i>De Trabe</i> " between the church of St. Laurent and the house of Jacobus's wife, Johaneta.
32	22v-23r	7 Sept. 1406	— <i>Nota</i>	— Confirmation by Johannes Bariacii, son of Stephanus Bariacii, that on 30 Feb. 1399 the said Stephanus sold to Jacobus Steverini two pieces of property outside the Capraria gate at Aubenas for £16.
33	23r	12 Sept. 1406	— <i>Nota</i>	— Sale of a garden in the district of <i>Vousatum</i> at Aubenas by Ludovicus Chalveti, tailor of Aubenas, to Raymundus de Synla Serp of Aubenas, for 6.10. 0.
34	23v	14 Sept. 1406	— <i>Nota</i>	— Recognizance by Johanetus Croseti that he held in emphyteusis from Johannes Maurelli a garden in the district of <i>Las Condaminas</i> at St. Laurent, subject to an annual rent. (Cancelled).
35	23v	14 Sept. 1406	— <i>Nota</i>	— Quittance in favour of Johannes Maurelli by Johanetus Croseti, of land held by him from the former at St. Laurent.
*36	23v	4 Sept. 1406	— <i>Nota</i>	— Recognizance of a debt of 20 shillings owed by Stephanus Montis Usclati of Aubenas to Vitalis Coqui. Printed in full in App. I, doc. I.
38	24r	27 Sept. 1406	— <i>Nota</i>	— Appointment of procurators by Petrus Chastaneti, priest of Aubenas.
38	24r	9 Oct. 1406	— <i>Nota</i>	— Appointment of procurators by Johannes de Mes, officer of the king.
*39	30r	10 July 1406	— <i>Nota</i>	— Cf. no. 19. Printed in full in App. I, doc. IVb.
40	31r-31v	2 Nov. 1406	— <i>Nota</i>	— Grant of part of a vineyard in the district of <i>Mahencelle</i> at Aubenas by Johannes Maurelli to Raymundus de Missols, subject to an annual rent due to himself and to Guigo de Monte Bello. (Redacted in full in lib. 2).

Doc.	Folio	Date	Type	Contents
41	31 v	4 Nov. 1406	— <i>Nota</i>	— Sale of a vineyard at <i>Missols</i> in the district of <i>La Gayharia</i> by Johannes Maurelli to Stephanus Montis Usclati of Aubenas. (Redacted more fully in lib. 2).
42	32r	20 Nov. 1406	— <i>Nota</i>	— Appointment of Johannes de Manso, son of Poncius de Manso, as his procurator by Jacobus de Podro of Vesseaux.
43	32r	21 Nov. 1406	— <i>Nota</i>	— Appointment of procurators by Martinus Chanterii.
44	32v	30 Nov. 1406	— <i>Nota</i>	— Appointment of procurators by Bertrandus Laurentii of Aubenas.
45	32v	8 Jan. 1406	— <i>Nota</i>	— Recognizance by Johannes Chaubeschies de Chabron that he owed 30 shillings to Francescha de Fayeto for rents owed by his wife for the past five years.
46	33r	14 June 1406	— <i>Nota</i>	— Lease of a vineyard at Aubenas in the district of <i>Longavilla</i> by Cellona, wife of Jacobus Senglarii of Aubenas to Vitalis Coqui, cobbler of Aubenas, subject to the customary rent.
47	33r-33v & 37v	23 May 1406	— <i>Extensum</i>	— Donation of a field at Aubenas in the district of <i>Costo Fresato</i> by Guillelmus de Monte Grosso of Aubenas (as procurator for his brother Petrus de Monte Grosso, heir to Poncius Loverii of Aubenas) to Stephanus de Missols at an annual rent of one quarter of the oats, payable at Christmas.
48	34r-35v	15 June 1407	— <i>Extensum</i>	— Receipt of an account of a tallage by the Regents of Aubenas from the collector, Franciscus Rafardi, to the amount of £250.7.10. £150 were paid to royal officers for a subsidy; arrears on the tallage not collected amounted to £13.14.0; reparations were 27/7; Rafardi's stipend was £23; £6 were paid to Petrus Coqui for his help; £4 were paid to Franciscus Loterii on behalf of the town; other monies owing were paid by Rafardi and the town released him from his obligations.
49	36r-37r	15 June 1407	— <i>Extensum</i>	— Receipt of an account of a tallage by the Regents of Aubenas from the collector, Franciscus Loterii. He had collected £258.13. 4 plus £6 as a loan from Johannes de Varesio and £4 from Franciscus Rafardi. £200 were paid to royal officers for a subsidy; reparations were 10 shillings; pay for Stephanus Demonasterio was 50/8; arrears were £29. 3.3; other expenses incurred were £12. 9. 6; Loterii's stipend was £21. 6. 0 and another £12 was also deducted for stipends; 10/6 was paid to Jacobus de Sancto Johanne by Petrus de Ulmo for his stipend; £3 were returned to Johannes de Varesio out of the £6 lent by him; 20 shillings were deducted for the pay of servants. After deduction of expenses there remained to be paid to Franciscus Loterii £10. 7. 1½ and the Regents awarded that sum to him out of the arrears remaining to be collected.
50	38r	17 June 1407	— <i>Nota</i>	— Recognizance of loan of £13 received by Johannes Virini, butcher of Aubenas, from Petrus Arnaudi, cobbler of Aubenas, and promise to return it with losses on request.
51	38r-38v	18 June 1407	— <i>Nota</i>	— Georgius Teyserii of Vogué placed his son Jacobus with Petrus la Gleysa, tailor of Aubenas, for three years. Jacobus was to receive £2 and free cloaks as a clothing allowance.

Doc.	Folio	Date	Type	Contents
52	38v-39r	24 June 1407	— <i>Nota</i>	— Lease of land at Aubenas in the district of <i>Louca</i> by Michaelis de Montargiis and Vitalis de Ferreriis from Johannes Maurelli and Margarita de Cecellis, at a rent of one quarter of the fruits and 10d. per annum. (Redacted in full in lib. 2)
53	39r	25 June 1407	— <i>Nota</i>	— Recognizance of a debt of £6. 8. 0 by Gonetus Veliac of Fenouillet in the parish of Frayssenet-sous-Coiron to Guillelmus Lacroza, mercer.
54	39v	25 June 1407	— <i>Nota</i>	— Receipt by Hungo de Geneva (curate of Lavilledieu and procurator for the Prioress of Lavilledieu, Francescha de Costo) of £28 worth of wine from Raymundus de Ucello, one of the Lords of Antraigues, who owed it by virtue of the entry of his daughter Francescha de Fayeto into the Priory.
55	40r	18 July 1407	— <i>Nota</i>	— Receipt by Vitalis Coqui of £8, a bed and bridal clothes, from Raymundus Robberti, notary of Aubenas, as dowry for Raymundus's daughter whom Vitalis had married. Donation of the £8 to Vitalis's brother Gonetus.
56	40v-41	27 July 1407	— <i>Extensum</i>	— Agreement to arbitration before Michaelis Fabri, lawyer of Aubenas, and Johannes de Podro, notary, by Petrus Mota bringing action against Johannes Moleti of Vesseaux, Johannes Aymari of St. Privat and Blanchonus de Vulpe Secura from the district of <i>Vascum</i> near Vesseaux.
57	42r-44r	8 Dec. 1407	— <i>Extensum</i>	— Sale to Johannes Turri of a small garden forming part of a vineyard in the district of <i>La Conba</i> at Aubenas. Stephanus Rocherii, curate of St. Etienne de Beaufont, Poncius Fabri, a priest, and Johannes de Crosato of Aubenas, executors for the estate of Laurentius de Amenlerio of Aubenas, declared that he had directed that all his goods not disposed of in his will go to his brother Anthonius. If Anthonius did not wish to receive the legacy the property was to be sold. Because Anthonius had not wished to become his brother's heir the executors therefore disposed of this garden in accordance with the will's instructions.
58	44r	17 Dec. 1407	— <i>Extensum</i>	— Confirmation of the above act by Guigo Rostangui, husband of Fandina de Trabe.
59	44v	16 March 1407	— <i>Nota</i>	— Recognizance of a debt of £6. 8. 0 for seven <i>sestarii</i> of wine, by Jacobus Chaulorii and his wife Caterina to Guillelmus de Fontibus of Aubenas. Promise to pay by Sept. 29. (Cancelled and noted in full elsewhere).
60	44v	18 March 1407	— <i>Nota</i>	— Receipt for a legacy of £22. 8. 0 worth 28 gold florins from the estate of Guillelmus Coyrelli, by Johannes de Clayvo, carpenter of Aubenas, from Jacobus Chaulorii. (Cancelled and noted in full elsewhere).
61	45r	24 Jan. 1407	— <i>Nota</i>	— Receipt for a dowry given to Petrus de Fontibus of St. Sermin by Johannes Espy of Aubenas and his wife when Petrus married their daughter Mondeta.

Doc.	Folio	Date	Type	Contents
62	45v-46r	17 Feb. 1407	— <i>Extensum</i>	— Will of Johannes Massabnon, workman of Aubenas, directing that his body be placed in his mother's sepulchre and giving directions for the disposal of his property and the conduct of his funeral.
63	46v	6 Aug. 1407	— <i>Nota</i>	— Quittance given by Johannes la Crosa of Aubenas to the theirs of Bartholonus Graneti of St. Sernin from all obligations owed to him by Bartholonus. Declaration that payment had been made satisfactorily. (Redacted in full in lib. 2).
64	46v-47r	16 Aug. 1407	— <i>Nota</i>	— Recognizance of a debt of 4 shillings for a pony, by Bertrandus Laurentii of Aubenas to Vitalis de Soleiro, mercer of Aubenas.
65	47r	23 Aug. 1407	— <i>Nota</i>	— Restoration of possession. Johannes Quartoni of Aubenas, who had had power of pupillage of Stephanus de Bancheato, had claimed as his own a house at Aubenas belonging to his pupil. Now in his old age, wishing to clear his conscience, he restored the house to Stephanus.
66	47v	23 Aug. 1407	— <i>Nota</i>	— Lease of land contained in the first lease of lib. 11, f. 18 at a rent of three quarters of corn per annum, by Johannes Chenchini to Johannes Gay.
67	47v-48r	29 Sept. 1407	— <i>Nota</i>	— Quittance by Johannes de Riovus, cobbler of Aubenas, to Marcovus de Riovus, of all rights and actions possessed by him in the estate of Petrus de Riovus. Marcovus was to pay to a doctor Jacobus a sum owing to him and was to pay off all the debts of the estate.
68	48r-48v	29 Sept. 1407	— <i>Nota</i>	— Recognizance of a debt of £6. 8. 0 by reason of the exchange agreed upon in no. 67, by Marcovus de Riovus to Johannes de Riovus, cobbler of Aubenas. Promise to pay on demand.
69	48v	29 Sept. 1407	— <i>Nota</i>	— Quittance by Marcovus de Riovus to Johannes de Riovus of all liability of the latter to the former. Declaration that full payment had been received.
70	49r-49v	20 Oct. 1407	— <i>Nota</i>	— Recognizance of a debt of 48 shillings by reason of a settlement of all obligations between the parties, by Guillelmus Blancherii of the parish of St. Privat at Ucel to Raymundus Roberti, notary of Aubenas. Declaration of terms of payment.
71	49v-50r	26 Oct. 1407	— <i>Nota</i>	— Recognizance by Raymundus de Manso (alias Grasenchi) of Aubenas, of a debt of 4 écus, to Petrus de Gaudiato by reason of a settlement of all obligations between them.
*72	50r	14 Oct. 1407	— <i>Nota</i>	— Delivery by the Regents of Aubenas to a courier about to leave for Paris of a document recording an instrument of appeal against a royal subsidy, of the answer received to the appeal, and of two sealed letters. Printed in full in App. I, doc. V.
73	50v	2 Nov. 1407	— <i>Nota</i>	— Lease by Petrus Coqui of Place d'Aubenas to Stephanus Anscachoni of Aubenas of an enclosure at <i>Vals</i> for three years, on condition that improvements be made and that Stephanus pay some of the rent.

Doc.	Folio	Date	Type	Contents
		16 Dec. 1410	— <i>Nota</i>	— Lease of the same property on the same terms for another three years by Alixens, mother of Petrus Coqui, and by his wife Sebila, to Stephanus Anscachoni.
		17 Dec. 1411	— <i>Nota</i>	— Renewal of the lease for a further two years by Petrus Coqui to Stephanus Anscachoni.
74	51r	16 Nov. 1407	— <i>Nota</i>	— Quittance by Jacobus Verderii, merchant of Le Puy, to Johannes Porterii, cobbler of Aubenas, of all obligations by which Johannes was bound to him. (Redacted elsewhere in lib. 2).
75	51 v	17 Nov. 1407	— <i>Nota</i>	— Lease of road tolls for a stretch of road by Bernardus Foresii, procurator of the Lord Preceptor of Gabelles, to Petrus Deltirador (alias Gubaudi) of Aubenas, for £12.16. 0. Provisions for payment and promise by Petrus to go directly to Bernardus's house upon entering Aubenas. Recognizance by Petrus Deltirador of a loan of £2 and promise to pay.
76	52r-52v	9 Jan. 1407	— <i>Extensum</i>	— Donation by Bellona, the widow of Martinus Clementis of the parish of <i>Vogué</i> , of all her rights and actions in respect to the goods of Mondonus Gymoni de Fontibus of <i>Vogué</i> in the diocese of Viviers. At some time in the past Mondonus had adopted Martinus and Bellona and given to them the use and fruits of half of his property for life.
77	53r-54r	10 Jan. 1407	— <i>Extensum</i>	— Contract of marriage between Mondonus Laschapsolias de Fontibus of <i>Vogué</i> and Bellona, daughter of Johannes Bonafos and widow of Martinus Clementis of the parish of <i>Vogué</i> . Donation in dower of all her property and rights by Bellona to Mondonus.
78	54v	18 Jan. 1407	— <i>Extensum</i>	— Commencement of a marriage contract as contained in the following document.
79	54v-56v	18 Jan. 1407	— <i>Extensum</i>	— Contract of marriage between Anthonius Larocho of Aubenas and Petrus Bertrandi of St. Sernin on behalf of the son, Jacobus, of the former, and the daughter, Johaneta, of the latter.

TRIER, BIBLIOTHEK DES PRIESTERSEMINARS MS. 100
AND THE TEXT OF MARTIANUS CAPELLA

Christopher McDonough

IN 1960 C. Leonardi published a catalogue of 241 manuscripts which contained, in part or whole, the *De Nuptiis* of Martianus Capella.¹ Of the fifty or so codices that preserve only the first two books, the largest number can be assigned to the period extending from the end of the eleventh century to the fifteenth; nine belong to the eleventh century and only five can be tentatively dated to an earlier period.² The Bibliothek des Priesterseminars MS. 100 ff. 67r-99v. is unique in recording before the eleventh century not only the first two books, which describe the apotheosis of Philology, but also the first of the books dealing with the seven liberal arts, *De Grammatica*. It belonged to the abbey of St. Eucharius (St. Matthias) before being transferred in 1809, together with about thirty other manuscripts of a mainly theological and historical character, to the library of the Priesterseminar (Seminarium Clementinum) in Trier.³ Prof. J. Préaux has already called attention to the importance of this manuscript, noting the quality of its text, but he provided no further details.⁴

It was copied, in a beautifully controlled hand, in the second half of the ninth century (*siglum*: T); it has a regular thirty lines to each folio with the exception of f. 99v.. The first two books have interlinear and marginal glosses written in a different but contemporary hand (*siglum*:

1 "I codici di Marziano Capella", *Aevum* 34 (1960) 1-99; 411-524.

2 *Aevum* 33 (1959) 473 n. 172; 481. n. 255; 474. n. 175; Jean Préaux, "Le manuscrit d'Avranches 240 et l'œuvre de Martianus Capella", *Sacris Erudiri* 17 (1966) 137-139.

3 H. V. Sauerland, "Aus Handschriften der Trierer Seminarbibliothek", *Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde* 17 (1891-1892) 601; 609; C. Leonardi, "I codici di Marziano Capella", *Aevum* 34 (1960) 454-455: note that the individual books are found on the following folios: Book 1: ff. 67r-76v; Book 2: ff. 76v-86r; Book 3: ff. 86r-99v.

4 *Sacris Erudiri* 17 (1966) 137.

⁹ *Aevum* 34 (1960) 455; Cora E. Lutz, *Catalogus* 371 also observes that Leonardi is mistaken.

- 17.17 *ex contiguīs* Naturalem siderum positionem tangit cum dicit ex contiguīs quia circulus mercurii circulo solis dicitur adherere secundum platonicos.
- 39.20 *marginē* margo est ut plinius dicit extrema pars latitudinis singularum planetarum in signifero.
- 42.4 *senior* Ideo senior dicitur quia principale signum est inter aquilonia sidera et (est: ms.) alio nomine dicitur arctofilax id est custos duarum ursarum quarum hec sunt nomina helix quae et cenosura et fenix.
- 51.13 *crusmata* Croma varietas inde crusmata quasi cromata id est colores varii scilicet motus per cromaticum tria genera musicae vult intelligi quae sunt diatonicum cromaticum enarmonicum.

In an article written twenty years ago, Préaux proposed that an anonymous commentary contained in several manuscripts could be the work of the famous ninth-century teacher, Martin of Laon.¹⁰ Several of the alleged Martin glosses cited by Préaux are almost identical with those of the Trier codex:

- 4.3 *Calliopea* Caliopea grece quasi callion fone id est bona vox; est enim mater orphei *t*
- cf. Calliopea grece calon fone id est bona vox dicitur.
Calliopea namque mater orphei fuit vel melius *KAAΛIOPHOIO* verbo id est bene facio vel bene compono.
- 38.17 *ductibus* vel pro ductoribus id est principibus Apolline scilicet vel mercurio vel pro ducibus causa metri vel re vera ducibus ut habent quidam codices *t*.
- cf. vel pro ductoribus id est principibus, Apolline scilicet et Mercurio, vel pro ducibus causa metri, vel re vera ducibus ut habent quidam codices.
- 4.1 *sertis* sertum et corona unum dicuntur apud grecos id est stephaneos *t*.
- cf. sertum et corona unum dicuntur veniuntque ab una aethimologia Greca id est stephaneos.¹¹

The hymn to the Sun (73.10f.) is particularly richly glossed. Here again the notes on *geminum* (73.22), *Phoebum* (74.8), *Attis* (74.12), *arentis* (74.13), *Adon* (74.13) *trina* (74.16) and *mentis* (74.18) are again identical with the

¹⁰ "Le commentaire de Martin de Laon sur l'œuvre de Martianus Capella", *Latomus* 12 (1953) 437-459.

¹¹ The glosses are not as numerous, to judge from the citations in Préaux. *T* for example has no glosses on 5.22 *Cybeleque* or 5.19 *Gradivum*. Some also appear to have been abbreviated e.g. 19.5 *petaso*. The gloss noted in Dick's apparatus criticus at 17.24, that of the *Leidensis B. P. L.* 88 (one of the manuscripts used by Préaux) is identical with that in *T*.

supposed Laon commentary:¹² e.g. 74.12 *Attis*: grece flos dicitur quem amavit berecynthia, id est altitudo terrarum, atque ideo Attis in solis adoratur figura, quia omnium florum princeps est sol et quodam modo creator. Attin autem porphirius florem significare perhibuit.

The text itself is remarkable on a number of counts; firstly, it records true readings, some of which have not yet been found in other manuscripts of the tradition and yet others which anticipate the conjectures of later scholars:

8.2 *adytis* *T* *aditis* *cod.* *om.*¹³

48.22 *dione* *T* *decore* *cod.* *om.*¹⁴

Above *dione* is the gloss *venere*; in the margin *t* has noted the vulgate reading: *alias geminata decore id est duplicata oriente sole*. From the vulgate the young Grotius brilliantly reconstructed *Dione*. The corruption probably arose from the unfamiliar use of the name *Dione* for Venus as the morning star, which Martianus in typically learned fashion clarifies in the still corrupt next line by mentioning the alternative name *Phosphoros* (49.1) cf. 448.10f.; 465.15; 466.10. Vestiges of the correct reading can be seen in Paris *B. N. lat.* 13026; *ditione* and the *Vat. lat.* 1987: *ditiōne*. Trying to account for the way in which proper names were corrupted in the *De Nuptiis* is not a rewarding task but it is possible that *dione* was miscopied as *diore* which some bold scribe then transformed into *decore* (cf. the universally attested *cantes* for *carites* at 58.7); alternatively *dione* could have been expanded into the meaningless *ditione* and thence to *decore*. Martianus elsewhere calls Venus (though not in her role as the planet) by the name *Dione* at 363.21; 479.5; 480.2. This, together with the fact that the metrically convenient *Dione* is almost invariably found at the end of the hexameter line makes this emendation as sure as any conjecture can be.

50.23 *novit* *T* (Grotius) *movit* *cod.* *om.*¹⁵

¹² All show minor variations from the text in Cora E. Lutz, *Dunchad Glossae in Martianum* (Philological Monographs published by the American Philological Association) No. 11 (1944) 7-9. On the false attribution of this commentary to Dunchad, cf. J. Préaux, *Latomus* 12 (1953) 440 f.; on p. 441 Préaux remarks that Remigius does incorporate some of the information of the anonymous commentary and this would account for the similarities between Remigius and *T* at 39.7 *aequum* and 59.15 *philyrae*. See also L. Labowsky, *Med. and Renaissance Studies* 1 (1941-1948) 191.

¹³ Above is the gloss *templis*; at 9.20 *T* has *aditorum* with all the mss., again glossed with *templorum*.

¹⁴ In a letter to me Dr. James Willis has brought to my attention that *Brussels Bibl. Royale* 9565-9566, a ninth century ms. (cf. C. Leonardi, *Aevum* 34 (1960) 18) records *dione* in rasura. This is perhaps the place to thank Dr. Willis for reading the present article and for putting his wide erudition and scholarship so readily at my disposal. See also notes 15 and 16 for two further readings supplied by Dr. Willis.

¹⁵ The correcting hand of *Brussels Bibl. Royale* 9565-9566 also read *novit*; for similar manuscript confusion of these words, cf. Ovid *Tristia* 4.1.72.

All known manuscripts record *movit*; in the Monacensis 14729 (M) *novit* is recorded above. Grotius again saw that this simple but necessary change restored excellent meaning to the passage.

73.22 *tetra cordon* (for *tetrachordon*) *T* (Vulcanius)

Here again the faithful transcription of the copyist preserves the original word of Martianus. The process of tampering is clearly seen in the *Vat. lat. 1987* where the scribe's already corrupt *tetro cordo* has been altered to the vulgate *tetra cordum*.¹⁶

76.18 *nonne sciens* (for *non nesciens*) *T* (Grotius) *non sciens cod. om.*

The reading of the archetype must have been *non sciens*, which Grotius immediately saw made nonsense of what follows in the *quoniam* clause at 76. 19. Martianus uses the same figure at 67.15 *non nescis*.

104.12 *alterutra* *T* (Petersen) *altera tria cod. om.*

Martianus is explaining how a *longum* is created by position, either a short vowel is followed by two consonants or by a single double letter (e.g. X and Z) in *alterutra*: cf. Marius Victorinus *G.L.K.* 6.6.5, 22. Here *T* anticipates the later restoration of Petersen.

63.17 *cinxiam* *T*

Almost all other manuscripts attest *cinctiam*, which Dick, following Grotius, accepted into his text. Even though Dick had a tendency to prefer exotic spellings, it is impossible to justify the unique *cinctiam* for *cinxiam*. The evidence is not large; this appellation of Juno occurs once in Festus, three times in Arnobius, always with the form *cinxiam*. At first sight it might appear that the reading in *T*'s text is due to perseveration: *domiducam anxiam unxiam cinxiam mortales* ... but in the light of the above evidence *Cinxiam* ought to be restored (as Kopp argued it should be, citing his *codex Britannicus* as evidence). Similar variations can be seen at 77.15 where *T* has *galacteum*, the glossator adding *galaxium* in the margin; so also the *galaxium* of the *Vat. lat. 1987* has been altered by the corrector to *galactium*.

96.11 *extunditur* *T* *extuditur rel. excuditur ed. pr. extruditur lectio vulgata excutitur Dick.*

¹⁶ *Brussels Bibl. Royale* 9565-9566 also reads *tetracordon*; according to Dr. Willis' collation at this point, the *Reichenauensis* has *TETRACORDO*, the bar apparently being written in the same ink as the word; Dick who saw the manuscript, thought that it was the addition of the corrector. See also J. Willis, *De Martiano Capella Emendando* (Lugduni Batavorum, 1971) 26.

The correct reading here is far from certain. *Extundere* is often confused with *excudere*, *excutere* and *extrudere* (cf. T. L. L. 5². 2091); *extunditur* is the reading which Kopp, following his stated critical principles, would have adopted had it been supported by manuscript authority: In Monacensi denique (C) et Darmstattensi codicibus exhibetur *extuditur*, quod substituissem, si lineola superimposita potius redditum fuisset *extunditur*.¹⁷ Of all the suggestions, the simple change of the *editio princeps* is all that is needed to restore the required sense.

In all of these cases, readings have been preserved from the process of normalization that was imposed upon so many manuscripts as a result of Remigian scholarship.¹⁸

In addition to this rich harvest, some of the *variae lectiones*, which are clearly marked as such in most cases with the prefix *vel*, record medieval corrections that were later to be suggested anew by Grotius and Bentley.

21.17 *lene cod. om. tete t te te Grotius.*

Whether the glossator intended *te* with the emphatic suffix *-te* or *te te* is difficult to say; *te te* is far better, as it conforms with Martianus' practice of eliding long syllables at this point in the metre. Further, after the long digression of 21.10-16, the resumptive *te te igitur* picks up the *te* at 21.9.

48.21 *ambrosum cod. om.*

In the margin *t* records: *vel amborum mercurii philologiae vel ambroseum celestem*. In a conventional poem about the coming of dawn, *ambrosum* has no place, despite Remigius' absurd attempts to justify it by alluding to anthropophagic Scythians. The suggestion found in the margin of Vulcanius' edition *ambrosium* is a straightforward correction. Martianus uses this epithet again at 484.6 *ambrosium ... diem*.

55.22 *separat cod. om. Reparat t (Bentley).*

The reading of all the manuscripts is again impossible as Bentley saw. It has just been noted in the poem that Mercury, through the power of his caduceus, has the ability to influence the dead and here he is said to restore the dismembered Osiris. The confusion of the letters *r* and *s* in the codices is common e.g. 15.15 the true reading *ratis* appears in almost all manuscripts as *satis*; at 80.5 *terminatur* is copied as *terminatus* in some codices.

17 U. Kopp, *Martianus Capella* (Francofurti ad Moenum 1836) 279.

18 J. Préaux, *Sacris Erudiri* 17 (1966) 136; 139; J. Willis, *De Martiano Capella Emendando*, 87-88.

Thirdly, the Trier manuscript offers the correct reading where it is attested in only one or two others:

15.14 quae licet in Maiugena officium properare viderentur, ratis tamen incessibus movebantur.

All copies show *satis* except for the correction in the *Reichenauensis* and the *ratis* which, according to Kopp, Cortius found in the *Guelferbytanus*. Bentley's suggestion *statis*, though one of his better ones in the *De Nuptiis*, is otiose. The archetype read *satis*; the change to *ratis* is a simple one palaeographically and is further supported by its frequent use in Martianus in contexts of music and number.

19.9 nam et Tellus luminata, ...

The original *lumina* of *T* has been altered to *luminata* by *T*!; apart from this and three other manuscripts listed by Dick (to which may now be added the *Vat. lat. 1535* where the correcting hand has written *luminata*) over *lumina* all others record *lumina*. A similar kind of mistake is found at 130.9 where *gemina* has replaced the true *geminata* in the *Leidensis* 87.

43.16 litteram quoque, quam bivium mortalitatis asserere prudens Samius aestimavit, in locum proximum sumit, ...

Bivium is also found in the *Leidensis* 36 and *Vat. lat. 1535*; *bivium* was transcribed into the meaningless *vivium*, from which arose *vivum*, the reading of the *Reichenauensis*. All others have the debased *vim*. That the letters *b* and *v* were frequently confused is well known;¹⁹ the *Orthographia Albini magistri* (G. L. K. 7.295 f.) notes it as a common error. The context with its allusion to Pythagoras leaves no doubt that Martianus wrote *bivium*, a clever reconstruction by some cleric. Compare Servius *Aen.* 6.136.

56.26 verum simplici quadam comitate praeinitentes

Here *T* is supported by the *Monacensis* 4559 alone in its reading of *verum*; all others record *rerum*, a variant that is recorded by *t*. In his apparatus criticus Dick suggested that perhaps it ought to be removed from the text as it was repeated below at 57.5. It does however add a qualification to what Martianus has just written and is also Martianic in style cf. 43.8 f. *sed non quod ei dissonans discrepantia nationum nec diversi gentium ritus pro locorum causis cultibusque finxere, verum illud quod nascenti ab*

19 To cite but a few examples from the tradition of the *De Nuptiis*: the Paris *B. N. lat. 13026* has *betabunt* at 80.9; *recurbet* at 51.12 and *libor* at 285.3. Our Trier codex has *cavalli* at 50.17.

ipso Iove siderea nuncupatione compactum ac per sola Aegyptiorum commenta vulgatum fallax mortalium curiositas asseverat

73.20 hinc est quod quarto ius est te currere circo.

T records *decurrere* but above *t* has the variant *te currere*, elsewhere found only in the *Monacensis* 4559.

93.17 quæ quando vocalibus accedit, ut hospes et heres.

The correct *accedit* is found only in the *Monacensis* 14729, the rest corrupting to *accidit*, a common confusion cf. *T. L. L.* 1.253.

It is an established fact that the tradition of the *De Nuptiis* is very contaminated;²⁰ the copies of the work that Securus Melior Felix had before him were already very corrupt. The popularity of the work in the succeeding centuries as a school text resulted in even further deterioration of Martianus' original words. This process of change was still at work when the precocious Grotius edited the *De Nuptiis*. Lamenting the damage inflicted on the text by the ignorant, he stated: *Quicquid illi fungi non intelligerent, id statim mutandum censuerunt, omne quicquid a vulgi ingenio paulo esset remotius, interpungentes, mutantes, luxantes. Ita fit ut hodie mendis plurimis obsitus a paucis legatur, a paucioribus intelligatur*. Given this situation, one does not expect to find any simple line of descent from one manuscript to another. Yet there are clear affinities between *T* and the *Monacensis* 14729, which contains the work in its entirety. Dick thought that the latter was a 12th.-century codex, but the subsequent work of Leonardi and Bischoff has pushed it back into the late 9th-early 10th. century.²¹ It has already been noted above that these two manuscripts preserve the correct readings at 93.18 and 50.23. They also agree in error in a significant number of places; the reading of *pectus* in both at 18.15 is especially interesting. All others have *sectus*, which is also recorded as a variant by *t* with the usual medieval explanation of its meaning: *vel sectus id est ductus sententiarum*. *Sectus* is however meaningless, as Vonck saw, who accordingly proposed the admirable *sensus*. For in a later poem, Jupiter states that Mercury lives *in nostris sensibus* (39.10). *Pectus*, then, is a conjecture which Kopp was also to propose later in his note where he berates Vonck for having the audacity to change two letters out of a total of six! Apart from this, both codices share errors in the following places: 11.10 *edidicit*] *jedicit*; 26.14 *Neptunus*] *nereus*; 68.6

²⁰ *Sacris Erudiri* 17 (1966) 142; J. Willis, *De Martino Capella Emendando* 20.

²¹ C. Leonardi, *Aevum* 34 (1960) 96-97; J. Préaux, "Un nouveau manuscrit de Saint-Gall; le Bruxellensis 9565-9566", *Scriptorium* 10 (1956) 224; A. Dick, *Martianus Capella*, praefatio xvii.

isdem]istam; 86.18 *designavit*]deformavit; 74.11 *Typhonem*]tryphonem; 92.11 *fax*]falx; 97.22 *sociantur*]societytur; 98.2 *enim*]etiam; 99.2 *Curiatius*]curitius; 101.8-9 *prima syllaba*]primam syllabam; 108.6 *si*]cum; 110.3 *neutris*]neutro; 111.8 *producenda*]producendae; 111.23 *producuntur*]producerentur; 113.15 *solae*]sola; 116.6 *sed casus*]sed per casus; 116.21 *sua enim*]sua etenim; 121.14 *quae AN EN IN*]quae an et en et in; 134.5 *quotiens*]quoties; 140.24 *persona prima*]prima persona.

The *Monacensis* 14729 (M), though early, is not a reliable witness and Dick was justified in classifying it among the *deteriores*; it contains countless errors that are not in *T* and it may well owe its good readings either to *T* or to the exemplar from which both may have been copied. Further, the significant readings contained in the Brussels *Bibl. Royale* 9565-9566, which *TM* share at 48.22, 50.23 and 73.22, would seem to indicate that they form a distinctive group within the tradition, since all three share various readings that have as yet not been discovered in other codices. A further piece of evidence to support this is the concurrence of all three in recording the singular variant *nereus* for *neptunus* at 26.14; though in *T* *neptunus* is superscript. Préaux has already indicated the connection between the Brussels *Bibl. Royale* 9565-9566 and the *Codex Sangallensis* 872 at 26.14; it is, then, of interest to note that *T* and the *Cod. Sang.* 872 err together at 28.21 in reading *hospitio* for *Hospitiae*.²²

In his recent monograph, *De Martiano Capella Emendando*, Dr. J. Willis has reaffirmed the excellence and sincerity of two of the oldest manuscripts of the *De Nuptiis*, the *Reichenauensis* (R) and the *Bambergensis* (B).²³ From the profusion of *variae lectiones* and alterations in *T* it is clear that it is not as sincere as *RB*; many of its readings show that it had been copied from an exemplar that had already incorporated many different readings from those of the archetype (e.g. at 7.6. *pronoies*; 7.7 *providum*; 12.21 *traxerat*; 39.8 *forent*, to note only a few of the passages discussed by Willis). *T* does however preserve many other readings where it confirms *RB* and a few other manuscripts:

12.3-4 *mitis omnia T*; above and between the two words *t* has written *per*, a reading that was subsequently incorporated in the text of some manuscripts.

²² Cf. J. Préaux, *Scriptorium* 10 (1956) 224 f.; note also the possibly significant affinities which the *Monacensis* 1559 (D), an eleventh century codex, (cf. Leonardi, *Aevum* 34 (1960) 90-91) shares with *T*: both err at 19.16 *agnoverant*]cognoverant; 47.9 *praebat*]praebat; 61.17 *istaec*]haec; 63.12 *dicimus om.* *TD*. Further, *TMD* agree in error at 25.21 *tum add*; 33.7 *glaucoque*]glauco quoque; 40.19 *Iuppiter finem loquendi*]finem loquendi *Iuppiter*; 45.9 *collata*]collecto; 79.18 *ornatissimae*]ornatissime.

²³ pp. 16-20.

15.7 ἀχερσεκόμης. *T* has ἀχερκεκόμης in the body of the text but records the correct reading as a variant at the bottom of f. 69v..

44.21 *deieratio*. *T* corrupts to *dei ratio* but transcribes the Greek μὰ τὴν τετράδα as *mathentetradan*.

45.15 *illa docet plenitudo*. *T* has *ille*; Willis cleverly restores the text to *illa edocet plenitudo*. A similar process of corruption can be seen in the *Vat. lat.* 1987 where it records at 62.14-15 *posticepimelia* for *postica Epimelia*; the correcting hand has an omission mark under the *e* (=ae) and written *a* above.

71.8 *ipsi deo nuptam fuisse Cyllenio*. *T* correctly has *ipsi denuptam fuisse cyllenio*. Used as a noun for Mercury, *Cyllenius* is never qualified by *deus* in the *De Nuptiis*; cf. 42.17 *ipsi sociandam esse Cyllenio*.

79.16 *Hic Phoebus exsurgit ... ac singulas ex famulatio delectuque Cyllenii incipit admovere*. *T* has *cyllenio* with the majority of the manuscripts.

117.12 *Quaeritur autem de genetivo singulari ... nec non de dativo, quem alii in I agunt, ut cornui genui; quidam veteres secuti ablativo similem faciunt* For *quidam* *T* has *qui*; Willis correctly punctuates:²⁴ *alii in I agunt, ut cornui genui; qui veteres secuti, ablativo similem faciunt*.

134.16 *T* with all the manuscripts (except the *Leidensis* 88) has: ... *agentis et patientis; cum dicimus enim osculor, nescis utrum osculor te an osculor a te*.

Most of the variants of *t* are those found in Remigius; in two places, however, he supplies true readings where they are found in only a few manuscripts; 46.8 *copiam T vel copulam t*; 46.18 *concesserat T congegesserat t*. That he had access to a number of manuscripts is shown by his reference to other sources:

39.15 *honos sacer T. alii libri habent sator seminator verborum vel sator quia quicquid honoris tribuo per sermonem tribuo t*.

40.6 *suadente meritis T. alibi suadentem id est volentem indulgentem vel rogantem t*.

71.23 *textudo T. alibi sub dextro textu t*.

In one other place *t* anticipates the otiose emendation of Bentley at 63.19 *ungant* for *unguent*.

The glossator also tried to grapple with difficulties that still remain unsolved today; at 51.9 he records the variant *creante* for the hopeless *cruenta*; at 53.16 he notes two variants for the garbled *quicquid agente stoasi: vel agent stoica ... vel stoica si prescia*. All of this activity is confined to the first two books, there being only one variant in Bk. 3 at 81.18 where *ut* is needlessly suggested for *et*.

To sum up: the Trier codex is an excellent example of the kind of at-

²⁴ *De Martiano Capella Emendando* 27.

tention that Martianus received from late ninth-century glossators. The attempt to make sense of the copy before him can be seen on every folio, as he corrects elementary mistakes, and, in a few cases, proposes or records readings that required some acumen. Further instances of this kind of activity, so characteristic of the whole tradition, have been recorded by Willis.²⁵ There is nothing in *T* to refute Willis' novel thesis that the good readings contained in only one or two manuscripts are conjectural and do not go back to the archetype. Some, such as *Dione* at 48.22 and *bivium* at 43.17, are of a high order and shed an interesting light on the level of understanding that some ninth-century monks could attain when confronted with a text as battered as the *De Nuptiis*. It may be significant that some of the better emendations were later to be proposed afresh by such scholars as Grotius, Bentley and Petersen, relying on their native wit and not on any knowledge of the manuscript tradition; others, of course, required only minor changes to make sense of the received text. The text of *T* is contaminated but its general merit can best be appreciated by comparing the trivial and corrupt readings of other ninth-century codices that contain the first two books of the *De Nuptiis*.

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²⁵ *De Martiano* ... p. 18 on 310.16; 54 on 322.12.

THE COURT BISHOPS OF ALFONSO VII OF LÉON-CASTILLA, 1147-1157.*

Bernard Reilly

THE medieval Spanish bishop, like his counterpart elsewhere in Europe, was a figure of almost inestimable importance in society. A spiritual leader, an official of the church, sometimes a counsellor of kings, always a baron of the realm, usually a member of the nobility, inevitably an administrator of wealth and land, his comings and goings in that society are always, therefore, a matter of note and significance for the historian. Given the habitually laconic character of almost all medieval chronicles and histories, we are anxious to establish at least the possibility of influence, in terms of his actual physical presence, as a ground of our further inferences.

Now, since at least the time of Prudencio de Sandoval¹ in the seventeenth century, most historians of the kingdom of León-Castilla have assumed that one method, by which they could determine a bishop's presence in the royal court or host, was to examine the witness lists of royal charters. These charters, usually land grants, are by far the most plenteous royal records of the early and high middle ages. In León-Castilla they are almost always dated by day, month and year and, by the mid-twelfth century, usually give the place at which they were granted as well. Their appended witness lists have been used as uniquely plentiful sources for establishing possible royal advisers for particular decisions coinciding more or less closely with the charter dates.

That this happily simple methodology should have come under attack in sterner days was inevitable. As the historians of the church of Santa

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¹ *Historia de los reyes de Castilla y de León* (Pamplona, 1634).

María de Valladolid noted early in this century, the connection between the appearance of his name in the witness list and the physical presence of a bishop had already been denied by very good authority indeed. Still, the denial seemed to raise many problems of diplomatics.² This quandry remains with us. Father Robert I. Burns, S. J. confesses his "uneasiness" in utilizing the witness lists in his fine recent work on Valencia.³ Derek Lomax voices the root reason for this uneasiness perhaps when he finds it "a little difficult to accept" that bishops spent so much time at court as the witness lists would seem to indicate.⁴

Precisely in this connection the question of methodology merges with the larger one of the historical interpretation of the extent and intensity of episcopal influence on the royal government. Or should one say, the question of the degree to which the royal government used episcopal positions to support its advisors? Both considerations obviously revolve about that late medieval and early modern phenomenon, the court bishop, read "absentee prelate" for ecclesiastical purposes, who here seems to have appeared at least two centuries too soon.

Such considerations seemed to justify this small study of the charters, and their witness, lists, of the last decade of the reign of Alfonso VII of León-Castilla, i.e. 1147-1157. This particular time span has been chosen because the conclusions derived from it would be applicable to chancery practices in León-Castilla from at least the time of Fernando et Magno (1037-1065). To this student of the charters, the continuity of chancery practice seems very great through this entire period.⁵ On the

² "Mas facil es explicar tal número de Prelados aceptando lo que dice Muñoz Rivero en la pag. 127 de sus *Nociones de Diplomática Española*, donde escribe: 'Las suscripciones de los confirmantes no significan en modo alguno que se hallasen presentes al acto de otorgamiento de las cartas, ni que se les enviaron para que las autorizasen', lo cual no sé hasta que punto sera cierto, á lo menos en esta época; y se compadece muy mal con la diversidad de confirmadores en distintos documentos coetaneos" Manuel Manueco Villalobos, José Zurita Nieto, *Documentos de la iglesia colegial de Santa María la mayor de Valladolid*, 1 (Valladolid, 1917), page 221, n. 11. The commentary is on a charter of Alfonso VII dated January 11, 1156.

³ *The Crusader Kingdom of Valencia*, 1 (Cambridge, 1967), p. xiii.

⁴ "Don Ramon, Bishop of Palencia (1148-1184)", *Homenaje a Jaime Vicens Vives*, 1 (Barcelona, 1965), 280-281. Lomax asserts that by the thirteenth century the witness lists were clearly conventionalized. The question may be whether we can determine at what point they become so. The same problem for English documents was reflected in Josiah Cox Russell, "Attestation of Charters in the Reign of John," *Speculum*, 15 (Oct. 1940) 480-498 where he argues for physical presence of witnesses.

⁵ There are no definitive studies on the charters of this period corresponding to those of L. Barrau-Dihigo, "Étude sur les Actes des Rois Asturiens (718-910)", *Revue Hispanique*, 46 (1919) 1-191, or of Antonio C. Floriano, *Diplomática española del periodo astur*, 2 vols. (Oviedo, 1949-1951) for earlier times. Strong beginnings have been made by Agustín Millares Carlo, "La cancellería real en León y Castilla hasta fines del reinado de Fernando III", *Anuario de la historia del derecho español*, 3 (1926) 227-306, Tomás Marín, "Confirmación real en documentos castellano-leoneses", *Estudios dedicados a*

other hand, after 1157 one must investigate the separate chancery practices of León and Castilla as the two diverge somewhat under the rule of Alfonso VII's sons.

In the period between January 1, 1147 and Alfonso VII's death on August 21, 1157, some one hundred and forty-five royal documents complete with witness lists are known to this author in original, copy or scholarly transcription or citation. For this same period, Rassow studied only ninety-nine of these charters. When he composed his pioneer work on the charters of Alfonso VII, he did not have to hand the scholarly editions of *Tumbos*, *Cartularios* and *Becerras* which are only now appearing with such heartening regularity.⁶ Nevertheless, his work was so soundly based on large numbers of original documents, that I have chosen to disregard, for the purpose of this study, those documents which he found questionable or outright forgeries and further have applied his norms to charters of which he was unaware.

Now a variety of hypotheses other than that of the physical presence of the bishops might be advanced to explain how these bishops came to be listed after the fashion of "Ego Raimundus palentinus episcopus confirmo," in the charters. First, it may be a mere chancery convention. Second, the bishops may have confirmed a royal document later to enhance its authority. Third, the bishops' names may have been added later by a copyist for substantially the same reason. Each of these hypotheses may be tested, in some degree, against our known documents.

As regards the first of these hypotheses, the conventional mention of incumbent bishops is certainly a device used in private acts of the period. Private acts frequently place the local bishop's name, or year of his episcopate, in the dating clause. In the realm of Aragon the chancery convention was to list the names of the incumbent bishops of the realm, not as witnesses, but as a part of the dating clause. These con-

Menéndez Pidal, 2 (Madrid, 1951) 583-593, and Luis Sánchez Belda, "La cancelleria castellana en el reinado de Doña" *Urraca, Estudios dedicados a Menéndez Pidal*, 4 (Madrid, 1953) 587-599.

⁶ Peter Rassow, "Die Urkunden Kaiser Alfons VII von Spanien", *Archiv für Urkundenforschung*, 10 (1928) 327-468, and 11 (1930) 66-137. Rassow based his study primarily on the rich trove of documents in the Archivo Histórico Nacional in Madrid, but even there did not make use of the material in the *Tumbos*. He also used one volume of the Burriel transcriptions of Toledan charters in the Biblioteca Nacional of Madrid, signatura 13.093 (formerly DD112) and the eighteenth-century collections of Gayoso and Salazar in the Real Academia de la Historia in Madrid. His printed sources, beyond the documentary appendices of the volumes of the *España Sagrada*, are given in *Archiv*, 10, 332-335, and include most of the better early historians and documentary editions. However, he used no archive outside of Madrid and in his time relatively little of the existing documentary material had been edited.

temporary practices would have been known to royal scribes, notaries and chancellors in León-Castilla but they do not seem to have ever been followed by them. Indeed, if we have a convention operative here, it is difficult to ascertain its rationale.

Of the one hundred and forty-five charters only one seems to list as witnesses all of the bishops-incumbent of the realm. It is a donation of January 2, 1154 to Bishop Martín of Oviedo as part of a settlement of a dispute between the dioceses of Oviedo and Lugo.⁷ The only one of the nineteen sees of the kingdom unrepresented by a bishop among the witnesses is that of Coria which seems to have been vacant from at least May 12, 1151, when its first bishop after the *Reconquista*, Navarronus, appears now as bishop of Salamanca until August 11, 1155 when a Bishop Suarius is listed for the former see.⁸

There are in addition some four of the charters where but one of the bishops of the realm does not appear as witness.⁹ But all told, only fifteen of the one hundred and forty-five charters of Alfonso VII list more than twelve of the nineteen bishops of the realm. Clearly, there is no

7 Rassow took his information from printed copies, among them that in *España Sagrada* 38, pp. 351-353. Santos García Larragueta, *Colección de documentos de la catedral de Oviedo* (Oviedo, 1962), pp. 409-411, gives the full text from the Tumbos of Oviedo.

8 I do not include Saragossa as a part of the realm in this period. Bishop Navarronus is listed for Salamanca in a donation of May 12, 1151 to the Gallegan monastery of Santa María de Osera, granted in Toledo. Archivo Histórico Nacional, Sección clero, carpeta 1509, no. 16 and Tumbo no. 1008B, ff. 4v-5r. The organization has changed since Rassow, *Urkunden*, 10, p. 452, supplied the archival data. Bishop Suarius' first apparent listing for Coria is in a donation to the Toledo monastery of San Servando dated in Toledo, August 11, 1155. Biblioteca Nacional, manuscritos, signatura 13.093 (formerly DD 112) used by Rassow, *Urkunden*, 10, p. 462. There are two other copies in the Archivo Histórico Nacional, Sección de códices, Signatura 1242, fol. 54v and fol. 64r. Hereafter given as AHN.

9 January 20, 1155 at Carrión to the cathedral of Palencia. Cited in Luciano Serrano, *El obispado de Burgos y Castilla primitiva desde el siglo V al XIII*, (Madrid, 1935), p. 49, n. 1. Rassow, *Urkunden*, 10, p. 460. February 4, 1155 at Valladolid to the Gallegan monastery of Celanova. AHN, Sección clero, Celanova, Carpeta 1431, no. 1 (the original). Rassow, *Urkunden*, 10, p. 461 and the text in 11, pp. 130-131. February 4, 1155 at Valladolid to the Gallegan monastery of Santa Comba de Naves. AHN, Sección clero, Santa Comba, carpeta 1506, n. 1. January 22, 1157 to Petrus Isidori (place not given). AHN, Sección clero, Carpeta 275, no. 10. Published by Juan de Alamo, *Colección diplomática de San Salvador de Oña*, 1 (Madrid, 1950), pp. 265-266 with photo. Both Rassow and Alamo date this to 1156 but a variety of considerations make it clearly 1157.

The first of these lacks the bishops of Astorga and Coria but Coria was vacant. Cf. note 8. The second and third lack the bishops of Coria, Osma, Sigüenza and Nájera and Coria, León, Lugo and Orense respectively. In both cases the names of two bishops are illegible and Coria is vacant. The last of these lacks the bishops of Astorga and Orense. Orense seems to have been vacant at this time with the last known appearance of Bishop Martín on November 28, 1156 in a donation to Juan Martínez cited in *España Sagrada*, 35 (Madrid, 1786), p. 210. His successor Bishop Peter first appears in the charter of July 30, 1157 to the Gallegan monastery of Santa María de Osera. AHN, Sección de códices, Tumbo 1008B, fol. 5r-v. Rassow, *Urkunden*, 10, p. 467.

conventional listing of all bishops. In fact, twelve of the charters list no bishops at all among the witnesses and the average number of bishops witnessing is only five. The nature of the charters already cited should also illustrate the improbability of other conventional devices such as listing the bishops only of the pertinent ecclesiastical province or only when the charter concerns an ecclesiastical institution or a matter of universal import for the church of the realm.

Moving then to the second hypothesis, that some of these bishops may have confirmed the charter at a date later than its original issue, one must admit that the subsequent confirmation of charters was not unknown. In this period the king often confirmed charters issued by his predecessors or by himself at an earlier date and such confirmations sometimes had their own witness lists. Less frequently bishops confirmed charters issued by their predecessors or other bishops.¹⁰ There is no evidence, of which I am aware, that bishops subsequently independently confirmed royal charters. In any event, the scrupulous care with which copyists ordinarily reproduced the seals and arrangement of earlier charters militates against the belief that they would have merely incorporated such a confirmation into the original list of witnesses.

Rather, the information which we have points to physical presence as the obvious and simplest determinant. For example, of those fifteen charters mentioned above which are witnessed by at least two-thirds of the bishops, only one charter was granted to an individual rather than one of the cathedral sees or monasteries.¹¹ Moreover, of the eleven which bear the place of issuance, ten of the charters were granted on the *meseta* of *León* and *Castilla la Vieja*, the area most central and therefore most convenient for attendance on the royal court.

Making due allowance for the manner in which that age understood the term, this author would be inclined to say that all of these fifteen documents were issued while the bishops and king were gathered at church councils of the realm. The three charters all dated February 4, 1155 and given at Valladolid specifically state the fact. To this group,

¹⁰ For the former, cf. the charter of Alfonso VII dated March 18, 1131 and reconfirmed by him under date of April 28, 1136, López Ferreiro, 4, append., p. 16. For the latter, the charter granted by Archbishop Diego Gelmírez of Compostela to the monastery of Sar dated July 20, 1137 and reconfirmed by his successors Archbishops Bernard and Pedro, López Ferreiro, IV., append., pp. 24-25. Both of these documents have been well reproduced in the series *Privilegios reales y viejos documentos*, III, *Santiago de Compostela*, ed. Juan Pérez Millán (Madrid, 1965), documents 1 and 2. Rassow, *Urkunden*, 10, pp. 427 and 430 knew them both. Cf. also Marín, "Confirmación real", pp. 584-585.

¹¹ Cf. note 9 for the exception.

the charter given in January 20, 1155 at Carrión should probably be assimilated, representing a gathering of bishops for the approaching council.¹² Another dated November 9, 1156 at Pénafiel to the church of Mondoñedo in Galicia reads "Facta carta ista in pena fíel veniente domino imperatore celebrare concilii [sic] ad palentiam;"¹³

The charter of donation to the church of Oviedo given at Salamanca on January 2, 1154 which is part of the settlement of a dispute between the cathedral sees of Oviedo and Lugo clearly demonstrates a concurrent council. That dispute is further resolved in an episcopal concord dated January 19, 1154 at Salamanca which specifically mentions the presence of thirteen other bishops and Alfonso VII. The royal donation of January 28, 1154 at Ávila to the Cathedral of Segovia may be seen as perhaps the concluding phase of the council.¹⁴

One more charter, that of July 11, 1154 at Segovia given to the church of Toledo, is fairly certainly connected to a council. Other documents place Alfonso VII, his sons Sancho and Fernando and the papal legate for Spain at Segovia from July 2.¹⁵ Of the remaining seven charters listing thirteen or more bishops there is no explicit evidence that a council was taking place.¹⁶

12 Three of these charters are described in note 9. The fourth is a grant of a fair to the monastery of Sahagún, February 4, 1155 at Valladolid which notes "... tunc Dominus Jacintus sancte Romane Ecclesie Legatus celebravit concilium apud vallem Olit ..." Romulado Escalona, *Historia del real monasterio de Sahagún* (Madrid, 1782), p. 583. Rassow, *Urkunden*, 10, p. 461.

13 AHN, Sección clero, Carpeta 1185, no. 9. Rassow, *Urkunden*, 10, p. 466.

14 For the document of Jan. 2, 1154, see note 7. For Jan. 19, 1154, García Larragueta, *Colección*, p. 412 or *España Sagrada* 41, pp. 312-315. For Jan. 28, Diego de Comenares, *Historia de la insigne ciudad de Segovia* (Segovia, 1637), pp. 138-139. Rassow, *Urkunden*, 10, p. 457. On the council generally, Fidel Fita, "Primera legación del Cardenal Jacinto en España", *Boletín de la Real Academia de Historia*, 14 (June, 1889), pp. 530-555.

15 July 11, 1154, Segovia, Donation to the church of Toledo. Colmenares, p. 138. Rassow, *Urkunden*, 10, p. 459. The latter also cites, p. 459, a donation to the see of Palencia given at Segovia on July 2, 1154 which reads "et domno jacinto sancte Rom. eccl. cardinali nunc legato in Hispania et presente in Secobia". A donation of Sancho III of Castilla of July 2, 1154 at Segovia to the church of Palencia is given by Julio González, *El Reino de Castilla en la época de Alfonso VIII*, 2 (Madrid, 1960), pp. 29-30 from the original in the cathedral archive of Palencia.

16 Three charters all given on October 28, 1155 at Burgos to the monastery of Silos. Marius Férotin, *Recueil des chartes de l'abbaye de Silos* (Paris, 1897), pp. 82-85 and 87. Rassow, *Urkunden*, 10, p. 463. The donation to the church of Burgos, dated Dec. 16, 1155 at Burgos, is given in Serrano, 3, pp. 198-199. One charter to the Gallegan monastery of San Payo de Antealtares dated in the extant copy simply to 1153 at Medina. AHN, Sección clero, Antealtaris, Carpeta 518, no. 18. The charter dated Jan. 22, 1157 described above in note 9. And finally the charter given to the cathedral of Orense, dated simply 1157 in the extant copies, at Aqua de Celere. Manuel Castro, Manuel Martínez Suerio, *Colección de documentos del archivo de la catedral de Orense* (no place or date), pp. 38-40. Rassow, *Urkunden*, 10, p. 467.

This charter may well be the last known charter of Alfonso VII. It lists "Fernandus" as bishop of Astorga and as late as July 30, 1157, in a charter given to the Gallagan monastery of Osera, his predecessor Peter appears, AHN, Sección clero, Osera, carpeta 1510, no. 2. Therefore, it should belong to the last twenty-one days of the reign of Alfonso VII.

We seem then to have established as obvious fact that bishops appear in the witness lists in the greatest numbers when the charters are grants to ecclesiastical institutions, when they are granted at a convenient place geographically, or when they are issued during the time of meeting of a church council. All of these are circumstances which would support the belief that the witnesses are physically present.

When these circumstances are absent, the number of bishop-witnesses falls off quite sharply. For example, of our twelve charters which show no episcopal witnesses, ten are to individuals and only two are granted to ecclesiastical institutions.¹⁷ Also, only three of these charters are granted at places in *Castilla la Vieja*.¹⁸ Seven of them seem to have been granted during a campaign in or on the borders of Muslim territory.¹⁹ The remaining three were granted at Toledo, increasingly the heart of the realm perhaps and primatial see, but still an outpost and the southernmost of all the bishoprics of León-Castilla.²⁰ And finally, there is no evidence for a council concurrent with any of them.

To push the point a bit further, the frequency with which the various bishops appear as witnesses to the charters is roughly proportional mathematically to the proximity of their see to the royal court. Thus the bishops of cities which are preferred royal residences, or on the routes between them, appear most frequently as witnesses; e.g. Toledo (98), León (62), Palencia (62), Segovia (59), Sigüenza (44), Salamanca (44), Ávila (41) and Burgos (40).²¹ Bishops of places not so favored either

17 The charter given on August 23, 1150 at Baeza to the monastery of Silos. AHN, Sección clero, Burgos, Carpeta 375, no. 5. Rassow, *Urkunden*, 10, p. 450. Charter dated Nov. 25, 1152 at Castrojériz to the church of Burgos. Serrano, 3, p. 195.

18 The one given in note 17 at Castrojériz and one granted to an individual. December 15, 1149, at Ávila. AHN, Sección clero, Burgos, Carpeta 378, no. 4.

19 Córdoba, July 23, 1150. Biblioteca Nacional, mss. 13.093, fol. 134r-v. Rassow, *Urkunden*, 10, p. 450. Córdoba, July 26, 1150. Luciano Serrano, *Cartulario de San Millán de la Cogolla* (Madrid, 1930), p. 314. Jaén, Aug. 15, 1150. Julieta Guallart and María del Pilar R. Laguezzi, "Algunos documentos reales leoneses", *Cuadernos de historia de España*, 1-2 (1944), pp. 368-369. Jaén, July 11, 1151. Bib. Nac. mss. 13.093, fol. 144r-v. Rassow, *Urkunden*, 10, p. 452. Andújar, June 15, 1155. AHN, Sección ord. mil., Ord. de Calatrava, doc. reales, no. 14. Rassow, *Urkunden*, 11, pp. 133-134. Talavera, Sept. 25, 1155. AHN, Sección ord. mil., Ord. de Calatrava, doc. reales, no. 18. Baeza, Aug. 23, 1150 given in note 17.

20 Toledo, Oct. 6, 1151. AHN, Sección ord. mil., Ord. de Santiago, Carpeta 65, no. 4. Rassow, *Urkunden*, 11, pp. 109-110. Toledo, 1153. Bib. Nac., mss. 13.093, fol. 146r-v. Rassow, *Urkunden*, 10, p. 455. Toledo, Feb. 10, 1153. Bib. Nac. mss. 13.093, ff 41r-42r. Rassow, *Urkunden*, 10, p. 456.

21 Allowance must be made for other factors. In the case of Oviedo (42), perhaps the old prestige of the see of the Kingdom of Asturias, Or, in reference to the surprisingly infrequent appearance of the archbishops of Santiago de Compostela (25), not only its geographical isolation from the new centers of the realm but a succession of no less than five different archbishops during the period with the corresponding vacancies. I hope in a further study to examine the personal factors which might also be determining.

by geography or prominence, less frequently, Osma (38), Zamora (36), Astorga (34), Orense (34) and Calahorra-Nájera (33). Those remote from the heart of the realm and its affairs, least frequently: Mondoñedo (25), Lugo (21) and Tuy (13).²²

The third hypothesis, that later copyists added bishops to the witnesses lists, might reasonably be expected to produce a significant mathematical variation between the number of bishops appearing in surviving original charters and in the later copies. Indeed, upon examination of the thirty-six original charters of the group we find that the average number of bishops listed is 3.53 as against 5.78 for the copies.²³ But one must adjust for the fact that while charters granted to individuals, which bishops are less likely to witness, form 47.2% of the original they make up only 35.5% of the copies.²⁴ If the original charters granted to individuals are compared with copies of the same kind, the average number of episcopal witnesses respectively becomes 1.56 and 2.41. For charters granted to ecclesiastical institutions, the average is 5.32 and 7.16.

One further adjustment may be made. That is, if presumably bishops would be more likely to witness charters granted at places in *Castilla la Vieja* than those granted at places in the Toledo region or on the frontiers, the fact that only 52.8% of original charters, as against 56.7% of surviving copies, were granted in the former locales must be taken into account. The statistics would then show for original charters granted within *Castilla la Vieja* to ecclesiastical institutions, an average of 6 bishops, for copies, 8 bishops, for original charters within *Castilla la Vieja* to individuals, 3.3 bishops, for copies, 3 bishops; for original charters outside *Castilla la Vieja* to ecclesiastical institutions, an average of 2 bishops, for copies, 6 bishops; for original charters outside *Castilla la Vieja* to individuals 1 bishop, for copies, 1 bishop.

We find then two significant variations among four possible ones between the numbers of episcopal witnesses appended to original charters as against copies of them. If we may perhaps discount the differences between originals and copies in the case of those granted outside *Castilla*

²² Coria (5), a newly reconquered and newly established see with a probably considerable vacancy, explains itself.

²³ In establishing the originality of any charter, I have followed the source wherever that appeared possible and safe. Where I had my reservations about the soundness of that judgment, I simply eliminated that document from this study group. As stated earlier, I have followed Rassow wherever he knew the document.

²⁴ An apparently paradoxical finding but explained, probably, by the institutional practice of transcribing the original in *Tumbos* which then made the original slightly less important.

la Vieja because the originals number only four in this category, providing a very small statistical base, what remains to us is an average difference of two between originals and copies. Should it be understood as resulting from the copyist's tampering? It seems to the author that the variation is persistent and wide enough to militate against mere chance variation in the sample yet, at the same time, hardly of the order to justify a conclusion of systematic, long-continuing padding of witness lists. More likely what is reflected here is the operation of a factor which our methodology is not sophisticated enough to detect nor our knowledge sufficiently complete to indicate.

Now if the full range of considerations, thus far advanced, argues that a bishop's name on the witness list of a royal charter does indeed mean his physical presence, what conclusions of substance follow on the methodological one? As one sample, we may take a group of thirteen documents issued between January 2 and May 23, 1154. Eleven of them are charters of Alfonso, one is a charter of his son Sancho, whose incipient chancery we will presume to have followed the usage of his father's, and one is an episcopal agreement which mentions the bishops present in the text. Within this sub-group, those bishops who most frequently appeared as witnesses in the entire group of charters, Toledo, León, Palencia, Segovia, are of most interest to us.

The archbishop of Toledo appears as witness in all of them. Since those five dated between January 2 and January 28 are given at places far removed from his cathedral, we should assume that from at least December 28, 1153 to January 31, 1154 he was absent from his church and at court, if we include the time spent in travel.²⁵ On the other hand, the eight documents dated between February 6 and May 23, 1154 are all granted in Toledo except for the last one which is dated in Madrid. So the archbishop seems to have spent the late winter and entire spring both at home and in the presence of the crown. A comfortable arrangement and one that indicates his matchless opportunity for access and service to the crown.

The bishops of León, Palencia and Segovia are less fortunate. They all sign the charters granted in Salamanca on January 2 and January 6, 1154.²⁶ When Sancho III confirms the possessions of the church of

²⁵ Travel time is difficult to estimate. But it seems to me that a party on horseback might get from Avila to Madrid (85 km. airline) to Toledo (60 km. airline) in three days if they were in a hurry. One day's journey of eighty kilometers for an episcopal party in rough terrain is actually recorded in the period but that pace could hardly be maintained. "Historia Compostelana", *España Sagrada*, 20, p. 433.

²⁶ For the first Cf. note 7. For the second, *España Sagrada*, 16, pp. 488-489.

Osma on January 14, 1154 in Soría, they also witness.²⁷ It must have been a difficult journey indeed to and from Salamanca in only two weeks, since by January 19 they are again in Salamanca, except perhaps for the bishop of León who does not witness.²⁸ But he may have been present for he does witness a charter dated at Ávila on January 28, 1154 although the bishop of Palencia does not.²⁹ Our three bishops then, along with the Archbishop of Toledo, are away from their sees and at court from about December, 30, 1153 until the beginning of February, 1154. Although they could all well have been home for the beginning of Lent since Ash Wednesday of that year fell on February 17.

They were again at court in Toledo in March, where they all witnessed charters dated March 17, March 20, and March 21.³⁰ That would indicate another two weeks away from home at a minimum if we include travel time, although it could have been somewhat less for the bishop of Segovia who was rather closer to Toledo. In any event, all three could have been home handily for Palm Sunday which fell on March 28.

All three bishops were again in Toledo by April 30, 1154.³¹ Unless they then hastened home, the bishops would have spent the feast of the Ascension, May 13, at court for they were there again on Pentecost, May 23.³² Another month or more away from their cathedrals may be indicated then for a total of almost three months out of five in the winter and spring of 1154.

The question, as to how extraordinary such a state of affairs was, is pertinent of course. At this time, the author can point to another series of eight charters, all granted while Alfonso VII was at Burgos, between October 28 and December 16, 1155.³³ The archbishop of Toledo wit-

27 Gonzáles, *Reino de Castilla*, 2, pp. 27-28 from the original in the chapter archive of Osma.

28 Cf. note 14.

29 *Ibid.*

30 Toribio Minguella y Arnedo, *Historia de la Diócesis de Sigüenza y de sus obispos*, 1 (Madrid, 1910), pp. 391-392. Rassow, *Urkunden*, 10, p. 458. *Ibid.*, p. 393, Rassow, *Urkunden*, p. 458. Colmenares, p. 139. Rassow, *Urkunden*, 10, p. 458.

31 Donation to the church of Salamanca. Cathedral Archive, Salamanca, Cajón 16, legajo I, no. 28.

32 Rassow, *Urkunden*, 11, pp. 123-124 gives the text from the original in the AHN.

33 Oct. 28, 1155. Férotin, pp. 85-87. Oct. 28, 1155. *Ibid.*, p. 87. Oct. 28, 1155. *Ibid.*, pp. 82-83. Nov. 1, 1155, Bibl. Nac., mss. 13.093, fol. 157r-v. Dec. 6, 1155. Bibl. Nac., mss. 13.093 fol. 158r-v and published by Serrano, *Obispado*, 3, pp. 195-197. Dec. 9, 1155. AHN, Sección clero, Retuerta. Dec. 9, 1155. Luciano Serrano, *Cartulario de San Pedro de Arlanza* (Madrid, 1925), pp. 209-210. Dec. 16, 1155. Serrano, *Obispado*, 3, pp. 198-199. All of these except the last are listed in Rassow, *Urkunden*, 10, pp. 463-464 and I have used the text of Dec. 9, 1155 from his *Urkunden*, 11, pp. 136-137, since I missed it at the Archivo Nacional.

nessed all of them as did the bishop of León. The bishop of Segovia does not appear on that of November 1 and the bishop of Palencia is not listed for the charter of December 6 and one of the charters of December 9. Even allowing for the gap in the charters between November 1 and December 9, when traveling time is calculated it is obvious that our bishops were at or en route to and from court for at least three weeks in the case of the bishop of Palencia, four weeks in the cases of the bishops of León and Segovia and the archbishop of Toledo was certainly at court for the entire period.

One final series of six charters all granted while Alfonso was at Valladolid between February 24 and March 11, 1152 except for the last which is a charter of Sancho III dated March 14 at Tordesillas.³⁴ Here also the archbishop of Toledo witnesses all of them, as do the bishops of León and Palencia as well. The bishop of Segovia does not appear in the charters of March 2 and 7. Since Valladolid was scarcely a hundred kilometers from Segovia he may well have been home in the interim. For the others though, it seems likely that a month or more at court may be considered as documented, though all of them could have celebrated Palm Sunday in their respective cathedrals on March 23rd.

This evidence from our charters must be viewed in a larger context if it is to be properly assessed. First of all, I believe that our sample here constitutes at most about thirty percent of the charters issued by Alfonso VII during our period January 1, 1147 to August 21, 1157. My estimate derives in part from my personal knowledge of another fifty-nine charters that have not been included because the witness list is not given by the source, or the dating is incomplete or because I simply have not yet been able to follow up the citation. My familiarity with Spanish archives, especially of the churches and their exploitation by scholars, leads me further to estimate that probably only about seventy-five percent of still extant charters have ever been brought to light. Finally, it seems to me generous to assume that as much as fifty percent of all royal charters of this period have survived. If these suppositions are correct, an not unreasonable level of royal activity is indicated. That is, Alfonso VII was issuing about four charters a month on the average.

³⁴ Feb. 24, 1152. Férotin, pp. 80-82. Rassow, *Urkunden*, 10, p. 453. Feb. 26, 1152. Serrano, *Obispado*, 3, pp. 190-191. Rassow, *Urkunden*, 10, p. 453. March 2, 1152. Archivo Regional de Galicia, Doc. Reales, no. 5. March 7, 1152. AHN, Sección clero, Montederramo, Carpeta 1481, no. 10. Rassow, *Urkunden*, 10, p. 454. March 11, 1152. Notice in *España Sagrada*, 35, p. 209. March 14, 1152. González *Reino de Castilla*, 1, p. 17.

But assuming the regularity of our sample, we might then expect that complete evidence would give us roughly three times the testimony for episcopal presence at court. And still, the further fact must be considered that even the total evidence may be highly tangential to the reasons for the presence of the bishops at court. They may have come specifically to seek a piece of property. It is not unthinkable. Or they may rather have come to attend a council primarily ecclesiastical in character. The evidence indicates as much not infrequently. Then again, especially in the cases of the bishops whom we have followed in some detail, they may be at court because they are essentially royal advisors who have been assigned episcopates for their support. This last possibility needs to be carefully considered in further study of the charters.

What we may say now is that the evidence of the charters, granted the presence of bishops is implied by their appearance in the witness-lists, points to a much more regular involvement of at least a central core of bishops in the mid-twelfth century royal government of León-Castilla than has been suspected up to this time. It indicates as well that these same bishops were likely to be absentees from their dioceses for considerable periods of time each year as they followed the royal court.

At the very least such initial conclusions suggest possible further lines of investigation. Is it possible that court officials are secured episcopal appointments, to certain sees at least, and after appointment remain court bishops? May not the elaboration of cathedral chapters as ecclesial governing bodies in the twelfth century then be understood as a response, not to the initiative of the bishop, but to the problem of his absence? Given such a possibility, one might well be able to understand, in part, the strife between bishop and cathedral chapter in the medieval church as the trial of interest between an officialdom of the realm and a local urban patriciate. The first clash of crown and town may have taken place within the church.

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THE ROMAN REVOLUTION OF THE EIGHTH CENTURY:
A STUDY OF THE IDEOLOGICAL BACKGROUND
OF THE PAPAL SEPARATION FROM BYZANTIUM
AND ALLIANCE WITH THE FRANKS*

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I

IN the process of development of a new Christian society in Western Europe, the eighth century was clearly a period of the highest importance in many ways. It was, indeed, a period during which the fundamental institutions of which the socio-political superstructure of early European society was eventually to be composed were developing or being reorganized. The papacy was one of these eminent institutions in the fabric of the emerging European power structure, and, therefore, one of the most important of the developments of the period was the gradual exodus of the papacy from the political penumbra of the Byzantine state. The consequences of this achievement of Old Rome's independence from the New were of considerable importance to the political and ecclesiastical development of the West through the eighth century, and, indeed, throughout the period of Christian dominance in European affairs. The severing of the papacy's traditional political nexus with Constantinople confirmed the growing religious and cultural divergence of the two and was a necessary concession to a political estrangement of long standing. But it also set the stage for new political developments such as the creation of a papal state in Italy, an alliance between the papacy and the Frankish state in Gaul, and the

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eventual evocation of a new imperial state in the West. Even more importantly, the secession of Rome from the Byzantine state was associated with the articulation, by the papacy, of a political ideology which asserted a common identification of the newly developing European societies as one society, of which the new imperial state in Europe was the symbol. In short, the separation of papal Rome from imperial Constantinople meant more than a simple turning away from the East; it implied, as well, a turning toward the Christian West, the forsaking of the traditional but moribund Mediterranean orientation of Italy and Rome for a new and more viable European orientation.

The problems facing papal Rome during this period were severe ones. The papacy was, as were the bulk of orthodox churchmen in imperial territories, strongly committed to a political and social ideology which stressed the common identity of the Roman Empire and the Christian society presided over by the church, as well as the ecumenical missions of both institutions. Indeed, one might well argue that the popes would have had considerable difficulty conceiving their position in any terms other than as an institution within the Christian Roman state. The Empire was the political expression of Christian universalism, and the emperor a functionary charged with defense of the church and with assisting the church in its mission of conversion, which charge absorbed, by implication, the old Roman notion of the empire's civilizing role. Yet, in the period leading up to the eighth century, practical developments threatened to render that ideology absurd. On the one hand, the behaviour of the emperors in regard of the church placed them almost permanently at odds with the papacy itself. On the other hand, the deterioration of imperial power in Italy in particular, and in the West in general, made it increasingly difficult to see the empire as the triumphant political arm of a militant Christian society. Moreover, as practical developments increasingly came to imply the isolation of imperial Italy in the Mediterranean, the papacy became more and more conscious of regions to the north of Italy as a sphere of Roman ecclesiastical influence.

The purpose of this essay, then, is to study the reaction of the Roman papacy to this situation: separation from Byzantium and alignment with the dominant political force in northern Europe, the Frankish kingdom. In particular, attention will be directed to the ideological developments which allowed the papacy to reconcile its traditional theoretical worldview with the reality it faced.

II

The development of the basic political conceptions which ultimately became part of the papacy's ideological world-view naturally depended upon both the patristic tradition and the Roman secular tradition of political thought. Basically the papacy was not committed to a highly systematized political theory, but worked out its views of its own role in society within the context of a vaguely developed world-view which incorporated a number of rather loosely generalized conceptions held in the church at large on an informal basis. For the most part, these dated from the fourth century and the period of the conversion of the empire, at least nominally, to Christianity. This process of conversion, beginning with that of the imperial house, presented the church with problems of explanation. The empire, from an early date, had come to be seen by its apologists as the summit of human political development; as a union of all civilized peoples living together in peace, justice, and order. Hence, in spite of the early hostility of the imperial state towards the church, it was natural that some Christians would begin to see parallels between the ecumenical mission of the church and the ecumenical mission of the empire. As has often been recognized since, the empire was a natural vehicle for the expansion of the church, a point which, despite the policy of earlier emperors towards the church, could not long escape the notice of the Christian community, so that it was not long before some Christians began thinking about the desirability of an imperial conversion.¹ Thus, even before the conversion of Constantine, some elements at least were already in some vague way taking account of the role of the empire in the life of the church. With the conversion of Constantine the problem became more obvious, of course, and also more demanding of solution. This was so particularly as the church began accepting the support of the imperial house and as it took within it more and more converts, especially from the imperial aristocracy, whose prior intellectual and emotional commitment to the idea of the ecumenical mission of Rome was an important influence.²

¹ Robert M. Grant, *Augustus to Constantine* (New York, 1970), pp. 93-96, infers from writings of the apologists, particularly Origen, that some Christians in the late 2nd century looked for an imminent imperial conversion. The passage that he sees as particularly important is Origen, *Contra Celsum* 8.71 (PG 11.162A-B).

² Robert Folz, *The Concept of Empire in Western Europe from the Fifth to the Fourteenth Century*, tr. by S.A. Olgivie (New York, 1969), pp. 4-5.

Hence it should not have been unexpected that the fourth century would see the development of an ideology which asserted a common identity for the church and the empire. Naturally, since the church had already come to view the empire as a vehicle for facilitating the expansion of Christianity, it would follow that the virtues and benefits of Roman imperial development were the handiwork of the deity. Similarly, the teleological role of the empire as interpreted by its clerical panegyrists would imply the superior importance of the church in any union of the two institutions, so that in the development of any ideological explanation of a union between church and empire, the empire would, of necessity, be absorbed into the idea of the church. Whence we find the development of a Christian political ideology in the fourth century which extended the church's concept of itself as the New Israel to include the Christianizing empire.³ Christian society and Roman state became as one; the Christian-Roman Empire thus became the society of the peoples of the New Covenant, a people in alliance with God and governed by divine precept.⁴ This meant that the empire came to have a dual nature. While it was obviously an earthly society, it was also a supernatural entity; which is to say that the secular empire was seen to be a reflection of the real community of the Kingdom of God.⁵ Indeed, the empire was God's, for it was the earthly political expression of Christian universalism,⁶ or, in other terms, a function of the earthly church.

3 The concept of the New Israel, as applied to the church, was used in the New Testament: *1 Peter* 2.9; *Galatians* 6.16; and *1 Corinthians* 11.25. It was also developed by Justin Martyr, *Dialogus cum Tryphone Iudaeo* 11, 123, 125 (PG 6.498-499, 762-763, 766-767). Eusebius later brought up the concept of a second and New Jerusalem, which may have been connected in his mind with the ideology of the New Israel: Eusebius, *De Vita Constantini* 3.33 (PG 20.1094A-B). It also appeared in Leo the Great, *Sermones* 82.1 (PL 54.422D-423A). Pope Leo spoke of the effects of the conversion of Rome by Peter and Paul in terms reminiscent of the New Israel: "Isti sunt qui te ad hanc gloriam provexerunt, (423) ut gens sancta, populus electus, civitas sacerdotalis et regia, per sacram beati Petri sedem caput orbis effecta, latius praesideres religione divina quam dominatione terrena". He also spoke of the empire as the product of divine providence, *ibid.*, 82.2; 423B. See also: Marcel Pacaut, *La théocratie: l'église et le pouvoir au moyen âge* (Paris, 1957), p. 13; Gerd Tellenbach, 'Römischer und christlicher Reichsgedanke in der Liturgie des frühen Mittelalters', *Sitzungsberichte der heidelberger Akademie der Wissenschaften*, phil.-hist. Klasse, 25, 1 (1935), 9-11; and Karl Morrison, 'Rome and the City of God', *Transactions of the American Philosophical Society*, n.s., 54, 1 (Philadelphia, 1964), 9ff.

4 Eusebius, *De laudibus Constantini oratio in eius tricennialibus habita*, 16 (PG 20.1423A-B). In this passage Eusebius drew parallels between the unity of the deity and the unity of the empire as well as the ecumenical character of both church and empire. See also: H. Opitz, 'Euseb von Caesarea als Theolog', *Zeitschrift für neutestamentliche Wissenschaft*, 34 (1935), 5; Eugen Ewig, 'Zum christlichen Königsgedanken im Frühmittelalter', *Vorträge und Forschungen*, 3 (Constance, 1956), 9; Folz, pp. 4-5; Pacaut, p. 14; and Tellenbach, pp. 9-11.

5 *De laudibus Constantini*, prologus, 1315-1319. See also: Pacaut, p. 14; and Ewig, p. 10.

6 *De laudibus Constantini*, 10, 1374B-1375. Folz, pp. 9-10; and O. Treitinger, 'Vom oströmischen Staats- und Reichsgedanken', *Leipziger Vierteljahrschrift für Südosteuropa*, 4 (1940), 13.

With the idea of the empire developing in this vein, it should not be unexpected that similar views would be developed and applied to the emperor himself. Although, from the point of view of the functionalism of such an ideology for the church's purpose, such ideas applied to the emperor would be destructive as well as constructive, they could hardly be avoided. The basic political principle of the late empire was of the omnipotence of the emperor as the personification of the empire. If the earthly sovereign were to be incorporated in the hallowing of the state as an earthly likeness of the kingdom to come, then, his role, it would follow, should somehow be invested with similar qualities. The beginning of development in this direction came with the identification of Constantine with Moses: he was the New Moses who had led God's people through the Red Sea of pagan persecution to the promised land of the Christianized empire.⁷ This was closely followed by development of the idea that the emperor of the New Covenant approximated the biblical kings of the Old Covenant; hence the emperor was the New David as well as the New Moses.⁸ In short, the emperor had become God's deputy on earth, bearing divinely ordained powers and the task of both governing the empire, and leading the church to triumph.⁹ Naturally, in the hands of imperial apologists, this train of thought would lead to the development of the view that the emperor had no intermediary between himself and God.¹⁰ As a stand-in for Christ the emperor soon became identified with him in a symbolic way in the liturgy; on Palm Sunday the emperor re-enacted Christ's entry into Jerusalem, while on Holy Thursday he washed twelve poor men's feet and on Christmas dined with twelve companions.¹¹ The emperor was, then, a divine appointee and his selection was a manifestation of divine will.¹²

7 *De vita Constantini*, 1.21, 30, 38-39, 2.12, 926, 935C, 951C-954D, 991A-B. Erich Becker, 'Konstantin der Grosse, der neue Moses', *Zeitschrift für Kirchengeschichte*, 31 (1910), 163-164.

8 This was a salutation of the Council of Chalcedon in A.D. 451 to the Emperor Marcion. O. Treitinger, *Die östömische Kaiser- und Reichsidee* (Darmstadt, 1956), pp. 35ff, 130-135, and *Leipziger Vierteljahrschrift*, p. 3. Ewig, pp. 9-11.

9 *De laudibus Constantini* 2, 1326-1327B; *De vita Constantini* 1.6.24, 918B, 939B. See also Treitinger, *Kaiser- und Reichsidee*, pp. 35-38, and *Leipziger Vierteljahrschrift*, p. 10; Ewig, p. 10; Karl Voigt, *Staat und Kirche von Konstantin bis zum Ende der Karolingerzeit*, repr. ed. (Aalen, 1965), p. 75; and Hans Eger, 'Kaiser und Kirche in der Geschichtstheologie Eusebs von Caesarea', *Zeitschrift für neutestamentliche Wissenschaft*, 38 (1939), 110-114.

10 Treitinger, *Kaiser und Reichsidee*, pp. 35-38 and *Leipziger Vierteljahrschrift*, p. 3.

11 *Idem*, *Leipziger Vierteljahrschrift*, p. 10.

12 A. E. R. Boak, 'Imperial Coronation Ceremonies of the Fifth and Sixth Centuries', *Harvard Studies in Classical Philology*, 30 (1919), 38-40, 46. Peter Charanis, 'Coronation and its Constitutional Significance in the Later Roman Empire', *Byzantion*, 15 (1940-41), 49-66, has examined the controversy over the role of the patriarch in crowning the emperor, but gives no indication whether the idea of divine election has been challenged, even though coronation may not have been a specifically ecclesiastical ritual.

Hence, carrying the logic of this development to its conclusion, the emperor's function was a theocratic one, and, as the Council of Chalcedon recognized in its salutation of Marcion, he was both emperor and priest.¹³

While the concepts of the empire and the emperor which have just been discussed follow quite logically from the union of church and empire, and, therefore, developed as a natural consequence of that union, they tended to become a ground of debate between the empire and the church, especially the papacy, due to the ways in which each of these institutions understood them. From the imperial point of view, the union of church and empire was a historical event in which the development of the empire and its historical mission was augmented by the assimilation of Christianity to the empire as an expression of the ecumenical nature of the empire.¹⁴ In a sense this imperial assimilation of Christianity was merely the consummation of the religious policy adopted late in the third century, and intended to form a foundation for imperial unity, so that Christ was the successor to *Sol Invictus*. For the church, as we have already seen, the union of church and empire was an act of the divine will in which the empire, previously established for the purpose, was assimilated to the church in order to facilitate the church's function in the world. Any interpretation of the church-empire union, then, would of necessity involve an interpretation of the distribution of power in society which would be objectionable to one party or the other. The development of an ideology of emperorship as an element of the general ideology of empire would tend, therefore, to involve assertions which would prove burdensome to the church insofar as they emphasized the idea of the emperor as superior to the church leadership in ecclesiastical matters.¹⁵

Hence, some elements of the church leadership, particularly in the west, though generally inclined to accept the common identification of church and empire, could not stand by and allow the most vigorous and, indeed, damaging conclusions to be drawn without responding. The natural response was the development of compensating ideas on

13 Treitinger, *Kaiser- und Reichsidee*, pp. 124, 129; and Voigt, p. 75. See also the remarks of Ludwig Biehl, 'Das liturgische Gebet für Kaiser und Reich', *Görres Gesellschaft zur Pflege der Wissenschaft im katholischen Deutschland*, 75 (Paderborn, 1937), 36 ff.

14 For a brilliant analysis of the general grounds of the papal-imperial controversies, and the basic theoretical structure of the papacy's position vis-à-vis the empire, see Walter Ullmann, *A Short History of the Papacy in the Middle Ages* (London, 1972), pp. 23-24.

15 For a brief account of the sort of problem that could develop see H. Gelzer, 'Das Verhältnis von Staat und Kirche in Byzanz', *Historische Zeitschrift*, 86 (1901), 193ff.

the part of those who claimed positions of leadership within the church itself, primarily the Roman popes. The general thrust of these ideas would, it would seem clear, depend upon firm insistence on the idea, present in the earliest political ideology of the church, that the empire served the church's purpose, rather than the other way around. This would mean a re-emphasis on the idea that, in the union of church and empire, the church was the institution of central importance. If the Christianized Roman Empire was a reflection of the Kingdom of God on earth, it was so in its Christian nature, not in its imperial nature. It was through the merger of empire with church alone that the empire acquired its lofty status as nucleus of the Christian society. Such ideas were of crucial importance in as much as the Roman papacy had developed the idea of papal monarchy within the church based on the text of *Matthew*, XVI, 18-19.¹⁶ This view, or elements of it, were held as sound theory in Rome by the time of Leo I. Leo interpreted the above noted passage of St. Matthew as meaning that St. Peter had received power from Christ and had himself distributed it to the other apostles, which meant that they were dependent upon him.¹⁷ Leo also bound St. Peter closely to Rome in his theory: Peter, he argued, lived on in the persons of his successors to the Roman See and spoke through their mouths — as Peter was to the apostles, so the Roman bishops were to other bishops.¹⁸ In short, Leo converted the platonic Petrine theory of SS. Cyprian and Augustine into a definite papal claim — that of the mystic personal union of St. Peter and the pope.¹⁹ As a result, the

16 Leo the Great, *Sermones* 3.4, 4.2, 4, 147-148, 149-150, 151A. Pope Boniface I, *Epistolae et decreta*, Ep. 14, 1 (PL 20.777B); Pope Gelasius I, *Epistolae et decreta*, Ep. 4 (PL 59.27-30); and Gregory the Great, *Registri* 5.37, ed. P. Ewald and L. Hartmann (MGH, Epp. 1.322). See also Ernst Kohlmayer, 'Zur Ideologie des ältesten Papsttums', *Forschungen zur Kirchengeschichte und zur christlichen Kunst: Johannes Ficker zum 70. Geburtstag*, ed. by W. Elliger (Leipzig, 1931), 11; Walter Ullmann, *Principles of Government and Politics in the Middle Ages* (New York, 1961), pp. 32-37; and Joseph Langen, *Geschichte der römischen Kirche*, 2 vols. (Bonn, 1881-1885), 2.108. This monarchical position was reflected by the early 6th century in the claim that the pope could not be subject to the judgement of any earthly power: Harald Zimmerman, *Papstabsetzungen des Mittelalters* (Graz, 1968), pp. 2-6.

17 Leo the Great, *Sermones* 4.3, 150C-152A: ... quae per Christum Petro tribuitur, per Petrum apostolis conferatur.

18 Leo the Great, *Epistolae*, Ep. 25, 2 (PL 54.743A): In omnibus autem (743A) hortamur te, frater honorabilis, ut his quae a beatissimo papa Romane civitatis scripta sunt, obedienter attendas: quoniam beatus Petrus, qui in propria sede et vivit et praesidet, praestat quaerentibus fidei veritatem.

19 H. M. Klinkenborg, 'Papsttum und Reichskirche bei Leo der Grosse', *Zeitschrift der Savigny Stiftung für Rechtsgeschichte*, kanon. Abt., 69 (1952), 42-44; F. Heiler, *Allkirchliche Autonomie und päpstlicher Zentralismus* (Munich, 1941), p. 215; and Kurt Dietrich Schmidt, 'Papa Petrus ipse', *Zeitschrift für Kirchengeschichte*, 54 (1935), 268-274.

Petrine doctrine became the foundation of papal theory and the title *Princeps apostolorum* began to be applied to St. Peter; Peter was assumed to have been the closest of all men to Christ and, therefore, to have become his vicar. From this argument it would follow that Peter should hold a higher authority than the apostles, and, hence, as the idea began to develop that only through Peter could there be an episcopacy, the idea of his *principatus* within the church developed.²⁰

Aside from the general idea of Petrine supremacy within the church, the development of Roman theory was crucial because, as the idea of the principate of Peter developed in the church, it came, in the minds of its creators, to impinge upon the position of the emperor as *optimus princeps*.²¹ According to the papal view, the position of the pope was based upon authority from Christ while that of the emperor was based merely upon his possession of coercive force as the secular power.²² As the hangman of society, given the responsibility for maintaining, through terror, the peace and order of society necessary for the work of the church, that work which alone gave society any meaningful purpose, the emperor was a secondary officer to the pope. In addition to this last argument, the pope argued that, in the spiritual hierarchy of the church, the emperor, being in fact a layman, was subject to the pope as was any other Christian, since the pope was responsible to God for his soul.²³ Hence, the papacy developed the view that temporal political power, being but a benefice bestowed by God upon the ruler, and being for the purpose of furthering the work of the church, was subject to review, by the pope, as vicar of God over the whole church.²⁴

²⁰ Pope Boniface I, *Epistolae*, Ep. 14:1, 4, 777B-778B; Leo the Great, *Epistolae*, Ep. 9, 625A; *Concilium Romanum* 2 (PL 59.186B).

²¹ Gregory the Great, *Registri* 5:37, 322; ... cura ei totius ecclesiae et principatus committitur See also W. Gmelin, 'Auctoritas, römischer Princeps und päpstlicher Primat', *Forschungen zur Kirchen- und Geistesgeschichte*, 11 (1937), 113-118, 121, 124.

²² Pope Gelasius I, *Epistolae*, Ep. 8, 42A-B; Duo quippe sunt ... quibus principaliter mundus hic regitur: auctoritas sacra pontificum, et regalis potestas. In quibus tanto gravius est pondus sacerdotum, quanto etiam pro ipsis regibus Domino in divino reddituri sunt eximine rationem. See also Erich Caspar, *Geschichte des Papsttums* (Tübingen, 1933ff), 2.64ff. The interpretation usually accepted has been challenged by A. K. Ziegler, 'Pope Gelasius and his Teaching on the Relation of Church and State', *Catholic Historical Review*, 27 (1941-42), 431-432n; and W. Ensslin, 'Auctoritas und Potestas', *Historisches Jahrbuch*, 74 (1955), 663-667; and defended by Lotte Knabe, *Die gelasianische Zweigewaltentheorie bis zum Investiturstreit*, *Historische Studien*, 292 (Berlin, 1926), pp. 12-13. See also Biehl, p. 40.

²³ St. Ambrose, *Epistolae*, Ep. 21:36 (PL 16.1061B); Pope Felix III, *Epistolae et decreta*, Ep. 9 (PL 58.935C-D); and *ibid.*, *Epistola sive tractatus*, 949-950. See also R. W. and A. J. Carlyle, *History of Medieval Political Thought in the West*, repr. ed. (New York, 1962), 1.147-191.

²⁴ Leo the Great, *Epistolae*, Ep. 156.3, Ep. 142.2, Ep. 164.1, 1130A, 1111B, 1149A. See also Ullmann, *Principles*, p. 58.

The papacy, then, would be familiar with a wide variety of ideas concerning the identification of the Christian Roman Empire as the New Israel, and seems to have accepted the implication contained therein that the church and the secular society were in some sense one. But successive popes found that this general view of church and society could be a potential threat to the independence of the church and were forced to react to that threat by declaring a position for the church and the papacy in Christian society.²⁵ Hence the assertion of the logical priority of the ecclesiastical element. The church was primary and the purpose of the church the major goal of Christian society which it was the duty of secular institutions to serve. The secular emperor was the New David, but he must yield precedence to Peter — and by implication to Peter's successors in Rome. In short papal acceptance of the imperial idea and its development of the theory of Petrine supremacy created a situation in which it endowed itself with a sustaining concept of its role as an institution which would prove to be both a source of its strength in the Western church and a cause of irremediable friction with the Byzantine emperors.²⁶ As a result the papacy would be forced to cope, in some way or another, with secular rulers who could not possibly share the conclusions drawn in Rome, and this situation would ultimately force the papacy to recognize that its general world view did not entirely correspond with the practical reality.

III

Until the reconquest of Italy by Justinian in the sixth century, the role of papal political ideology was, to a degree, a matter of academic discussion, since Italy, though theoretically an imperial province, had not been a part of the real sphere of imperial control since the early fifth century. Through Justinian's reconquest Italy was temporarily wrenched back into the imperial orbit. It was this fact that was most significant so far as the reconquest concerned the papacy; for the reconquest, motivated by Justinian's desire to restore a defunct Roman Empire,²⁷ created for both Italy and the papacy an intolerable situation. The idea of the co-extension of the church and the empire had

²⁵ Ullmann, *Short History*, p. 28, and *idem*, 'Reflections on the Medieval Empire', *Transactions of the Royal Historical Society*, 5th series, 14 (1964), 94.

²⁶ Ullmann, *Short History*, pp. 28-29, 65-66.

²⁷ See P. Jörs, *Reichspolitik Kaiser Justinians* (Giessen, 1893), *passim*; and John W. Barker, *Justinian and the Later Roman Empire* (Madison, 1966), pp. 133ff.

doubtless been of some comfort to churchmen in Italy before the reconquest, in as much as it affirmed the ideal of the unity of a Christian society at a troubled time and allowed men who were mostly Roman aristocrats to salve their pride. But to be a *de facto* as well as *de iure* part of the empire proved to be a mixed blessing.

In the period after the reconquest the ideal of imperial universality gradually stood revealed as an empty conceit. The empire progressively demonstrated its complete incapacity to maintain such a dream. The empire, with its base in the eastern regions, was undergoing severe and fundamental change to the point at which its essential character differed radically from Italy's. Italy itself was subject to a wide variety of changes so that the gulf between the two further widened. The results were twofold: first, the empire was no longer Roman except in name; second, the empire could not hold Italy.

One of the chief features of Justinian's conquests lay in their detrimental effect on the empire. The cost of the reconquest to the empire had been enormous, and seriously endangered the empire's position in the east. The idea of the unity between east and west soon became apparent for the enormous anachronism that it was; Justinian's failure to realize this had been nearly fatal to Byzantium. His successors did not fail to profit by the lesson; Heraclius and those who followed him completely abandoned Justinian's policy, and with it the attempt to realize in practice the concept of universal empire. Imperial policy was forced to meet new problems of defense in the east; the west had become subordinate to more crucial designs. At the same time, in the period after the reconquest, the empire was gradually ceasing to be Roman in any real way, a fact perceived clearly in Italy. Beset by peril of invasion from the east, suffering diminution of its territory, and undergoing ethnic change, the empire lost both its universality and its Roman characteristics, and became more of an oriental despotism than it had been. After the death of Justinian, historical developments forced the emperors to confine their attention to the east. Asia Minor and the Asian hinterlands had become the most important sector of interest for the empire, and from Asia Minor came the real strength of medieval Byzantium. As the empire became weaker and more hellenized and orientalized, its influence in Rome and Italy declined, and it is not possible to speak of cultural unity or genuine understanding between east and west after the seventh century.²⁸

²⁸ A pertinent point was the refusal or inability of Justinian to recognize the significance of Persian strength in the east. His immediate successor, Justin II, seemed similarly blind in that regard, and it was not till the accession of Tiberius that the Byzantine monarchy seems to have been

As far as the results for Italy were concerned, the entire concept of Justinian's reconquest was absurd. In the first place, it proved impossible to restore really the imperial regime in Italy. Justinian supposed that if he restored a Roman administration the empire would be reborn in Italy; for that was indeed the purpose of the Pragmatic Sanction of 554. It was an exercise in futility. Predictably, in spite of Justinian's hopes, the restoration never amounted to more than that of a shadow. It is reasonably certain, for instance, that a Roman Senate had permanently ceased to exist, even as a shadow, by the time of Gregory I or shortly thereafter. The passing of the Senate as an institution was a reflection of a changing social order. Many of the great lay proprietors of the old nobility lost their land in the sixth century and a significant number of them left Italy to take up residence in Constantinople. As the elements of the old aristocracy left or were pushed out, the changing social character of Italy developed even further along the lines of a semi-feudal order. The ruinous effect of the reconquest upon an already declining socio-economic system confirmed the province's reversion to an essentially landed subsistence economy. The strain of the Lombard invasions, late in the sixth century, forced the administrative system to adapt itself accordingly. The separation between military and civil administration simply disappeared and a militia of soldiers settled on small estates and commanded by an officer class of large and middling proprietors arose as the chief political element of the province. The military aristocracy took over the civil administration, alienated the imperial fisc, and created, in effect, a feudal regime. The government, under Maurice, attempted to adjust to the situation by creating a superior administration based on the person of a military governor, or exarch — a recognition in formal terms of a process of social change which could not be stopped. However, despite the theoretical position of the exarch as military governor of Italy, his

prepared to deal with the Persians on a realistic basis. See J. M. Higgins, 'International Relations at the Close of the Sixth Century', *Catholic Historical Review*, 27 (1941), 287-308. See also Louis Duchesne, *L'église au VI^e siècle* (Paris, 1925), pp. 258-259; A. A. Vasiliev, *History of the Byzantine Empire* (Madison, 1961), 1:142; Louis Bréhier, *Le monde byzantin* (Paris, 1948), 1.46; N. Jorga, 'Der Lateinische Westen und der byzantinische Osten in ihren Wechselbeziehungen während des Mittelalters', *Studium Lipsiense: Ehrengabe Karl Lamprecht* (Berlin, 1909), p. 93; Charles Diehl and Georges Marçais, *Le monde oriental de 395 à 1081, Histoire Générale: Histoire du moyen âge*, 3, 2nd ed., by G. Glotz (Paris, 1944), pp. 211-235; George Ostrogorsky, 'The Byzantine Empire in the World of the Seventh Century', *Dumbarton Oaks Papers*, 13 (1959), 3, 10; P. Lemerle, 'Les répercussions de la crise de l'empire d'orient au VII^e siècle sur les pays d'occident', *Settimane di studio del Centro Italiano di Studi sull'alto Medioevo*, 5 (Spoleto, 1958), 2:725; and Hans von Schubert, *Geschichte der christlichen Kirche im Frühmittelalter* (Tübingen, 1921), pp. 246-247.

administration had little effect due to a lack of power to enforce his decisions. The socio-economic changes in Italy and the assumption of effective political control in the hands of the land-holding military aristocracy represented the triumph of local provincial interests over those of the central government. The province tended to break down into regional units with essential political and economic autonomy. In each area the militiamen tended to oppose the central government on questions which threatened local interests, and since many of the militiamen were tenants of the churches, primarily those of Rome and Ravenna, which possibly exercised a variety of *patrocinium* over them, local religious interests were a strong factor in determining the stance of the province vis-a-vis the exarch. The exarch was really limited to an area closely circumscribed about Ravenna, his capital, but even then he could not function effectively if he were in opposition to the Archbishop of Ravenna.²⁹

Beyond these problems, however, the inappropriateness of imperial attempts to continue to hold Italy after the reconquest became clear quite early. The military position of the empire in Italy was clearly untenable. Hence, in the third quarter of the sixth century, at that point at which the *pax Gothica* had been broken, never to be replaced by a new *pax Romana*, the Lombard invasions began. Due to general Italian exhaustion from the Gothic wars and imperial military cutbacks, the defenders were powerless to do anything but retreat in the face of an

²⁹ Concerning the plans of Justinian and his administrative arrangements for the province see: Ferdinand Lot, Christian Pfister, and François Louis Ganshof, *Les destinées de l'empire en occident de 395 à 888. Histoire générale: histoire du moyen âge*, 1, ed. by G. Glotz (Paris, 1928), p. 162; Charles Diehl, 'Justinian and the Imperial Restoration in the West', *Cambridge Medieval History*, 2;1 (Cambridge, 1926), p. 20 and *Etudes sur l'administration byzantine dans l'exarchat de Ravenne, 568-751* (New York, n.d.), pp. 126-127. Concerning the existence of the Senate, there are some who feel that a weak Senate may have lingered on for a slightly longer time than indicated: Hugo Cohn, *Die byzantinische Staatshalter in Ober- und Mittelitalien* (Berlin, 1889), p. 37; Thomas Hodgkin, *Italy and Her Invaders* (Oxford, 1892-1899), 6.562-563; and Ottorino Bertolini, 'Appunti per la storia del Senato di Roma durante il periodo bizantino', *Scritti scelti di storia medioevale*, ed. by O. Banti (Leghorn, 1968), 1;245. In respect of the changing social order and its influence on the politico-administrative development of the province consult the following: Diehl, *Etudes*, pp. 293ff; L. M. Hartmann, *Geschichte Italiens im Mittelalter*, 2.2 (Gotha, 1897-1915), pp. 64-69 and *Untersuchung zur Geschichte der byzantinischen Verwaltung in Italien, 540-750* (New York, n.d.), pp. 75-76; E. Stein, 'Beiträge zur Geschichte von Ravenna in spät-römische und byzantinische Zeit', *Klio*, 16 (1920), 68-70; P. Rasi, *Exercitus Italiae e milizie cittadine nell'alto medioevo* (Padua, 1937), pp. 49-50, 54-55; Georges Ostrogorsky, 'L'exarchat de Ravenne et l'origine des thèmes byzantins', *Corsi di cultura sull'arte Ravennate e Bizantina*, 7 (1960), 101-103; Walter E. Kaegi, 'Some Reconsiderations on the Themes', *Jahrbuch der österreichischen byzantinischen Gesellschaft*, 16 (1967), 39-40n, 40-43, 48-49; A. Guillou, 'Régionalisme et indépendance dans l'empire byzantin du VII^e siècle', *Istituto storico Italiano per il medioevo: Studi storici*, 75-76 (Rome, 1969), pp. 231-233; Peter Llewellyn, *Rome in the Dark Ages* (London, 1971), pp. 142, 160.

advancing Lombard army, and the Germans soon held all of Italy except for a few imperial enclaves. Soon after this first stage of invasion, the Lombard horde broke up into its constituent war-bands, each pursuing its own ends and keeping only a loose sort of confederation. In short, internal conflicts and the absence of a strong hand within the Lombard folk accomplished what the empire itself had been powerless to do: it brought an end to the completion of the Lombard conquest of Italy. An interregnum ensued, then, from 574 to 584, during which the war-lords of the Lombard peoples ruled independently of one another, each in his own enclave, so that, in effect, there was no Lombard state until 584 when the threat of foreign enemies impelled the Lombard dukes to elect a new king, Authari, whose rule brought some unity to the war-bands, although, even after that period the central government of the Lombards was not able to rule the kingdom firmly. This weakness was due to the separatist tendencies of the powerful and restless duchies of Friuli, Trient, Benevento and Spoleto, which tended toward the creation of hereditary and nearly independent states within the state, and also due to the continuation of disputes over the throne, which toward the end of the seventh century became especially destructive. Beginning with the deposition of Perctarit and Godipert in 662, and continuing to the accession of Ansprand and Liutprand in 712, there were seven violent changes of monarchs. This internal instability was, of course, encouraged by the empire, which used all means at its disposal to encourage internecine warfare among the Lombards. Despite Lombard disorganization, however, the empire was powerless to alter its fortunes, and, once the Lombard state was held in the strong hand of an able king, such as Liutprand, severe pressures of the Lombards against the remaining imperial territories, including Rome, were resumed. The empire was no more able to defend its lands or subjects in the eighth century than it had been in the sixth or seventh, and its hold on Italy was in danger of disappearing altogether.³⁰

Throughout the period, while the imperial government was gradually manifesting its inability to maintain a firm hold on the Italian province, a number of basic changes were becoming apparent in the papacy itself. These developments were made crucial by the nature of the secular

30 Paul the Deacon, *Historia Langobardorum* 2.28, 2.31-32, 3.16, 4.51, 5.33, 5.38-41, 6.19-20, 22 and 25, ed. by L. Bethmann and G. Waitz, MGH, SS. rer. Longo et Ital. (Berlin, 1878), pp. 87-90, 100, 138, 155, 157-61, 171-72, 176-77; Gregory of Tours, *Historia Francorum* 6.42, ed. by W. Arndt, MGH, SS. rer. Merov., 1 (Hannover, 1885), p. 314. See also Gina Fasoli, *I longobardi in Italia*, (Bologna, 1965), pp. 59-63; Hodgkin, 5.182ff and 231ff; and Lemerle, pp. 722-723.

political structure. Two factors in the secular political situation were of especial importance in this context: the tendency of the provincial socio-military organization to pursue local interests rather than those of the central regime, a tendency which the weak exarchal government was powerless to oppose; and the fact that neither the Lombards nor the imperial regime were powerful enough to seize control of central Italy, a situation which left the local militia and its landed leadership a free hand. Or at least the local military nobility would have had a free hand were it not for the role that could at least potentially be played by the ecclesiastical elements, especially the papacy.

While the imperial regime was essentially unable to govern the province, the church in general, and the papacy in particular, had obtained considerable influence in local affairs. Under the terms of the political settlement reached after the reconquest of Italy from the Ostrogoths, the episcopacy was given a freedom to act in the context of urban government that gave it an important control over imperial officials. Moreover, the effect of imperial weakness in Italy was to stimulate the assumption of civil and military responsibility by the papacy, which began as early as the pontificate of Gregory I, when imperial abdication of responsibility pulled the papacy into the vacuum thus created.³¹

The important point, however, is that the papacy had a practical base of power which enabled it to act effectively in the political area: the Patrimony of St. Peter. The economic position which the patrimony created for the papacy made it impossible for the papacy to avoid being drawn into political affairs. By the beginning of the seventh century, the papal holdings in land produced for it an annual income of 200,000 Solidi in gold and 500,000 Solidi in agricultural produce. While not all this land was located in central Italy, enough patrimonies were held there to make the papacy the largest single land-holder in the entire area. The position of the papacy was rivalled only by that of the Archdiocese of Ravenna which was the next largest holder of land in the province. The landholdings of the papacy were very carefully administered to yield the best possible returns and to prevent the alienation of estates by tenants.³²

³¹ G. Romano, *Le dominazione barbariche in Italia, 395-1024* (Milan, 1909), p. 247; A. Fliche, *La Chrétienté médiévale* (Paris, 1929), pp. 86 and 92; L. Armbrust, *Die territoriale Politik der Päpste, 500-800* (Göttingen, 1885), pp. 13 and 19ff; Diehl, *Etudes*, pp. 110-111, 319ff and 329ff.

³² Hartmann Grisar, 'Ein Rundgang durch die Patrimonien des hl. Stuhles um das Jahr 600', *Zeitschrift für katholische Theologie*, 1 (1877), 326 and 358; *idem*, 'Verwaltung und Haushalt der päpstlichen Patrimonien um das Jahre 600', *Zeitschrift für katholischen Theologie*, 1 (1877), 527; Hartmann, *Untersuchungen*, p. 86; H. Colombier, 'Remarques sur les possessions de l'église romaine à la fin du

The revenue produced for the papacy by this landed wealth was used for various purposes and among these it was put to the solution of certain problems created by the imperial weakness in Italy. Papal revenues funded various sorts of assistance to the population of the city and also were used to keep up other imperial functions such as maintaining urban structures, assisting in defense costs, and occasionally buying peace for imperial Italy from the Lombards.³³ More significantly, in a socio-political situation in which the maintenance of the military and administrative system depended directly on the land, the papacy, as the largest landholder, played a substantial role. Both the papacy and the Archdiocese of Ravenna leased land to members of the military administrative system, becoming in effect their patrons. In addition, the *coloni* of the ecclesiastical patrimonies, while not obligated to military service by their tenures, were eligible to take military service in time of need. In short, a significant portion of the population, including the military aristocracy, were either economically, or both economically and legally, bound to the papacy or the Archdiocese of Ravenna, and thereby dependent in some way on these churches. The political implications of this situation were of the utmost importance. The separatist tendencies of the central Italian military classes tended to be focused squarely on these ecclesiastical institutions to which the *militiamen* owed their economic well-being. In both the territory of Ravenna and that of Rome, therefore, the conduct of secular business depended in great measure upon the will of the ecclesiastical leadership, and though there seemed to be both a secular and an ecclesiastical administration, effective government was in ecclesiastical hands.³⁴

In this situation it was crucial that the church, and especially the papacy, should have been strongly influenced and motivated by the

vi^e siècle', *Études religieuses, philosophiques, historiques et littéraires*, 2 (1872), 27; Karl Schwarzlose, 'Die Verwaltung und finanzielle Bedeutung der Paurimonien der römischen Kirche bis zur Gründung des Kirchenstaats', *Zeitschrift für Kirchengeschichte*, 11 (1890), 64, 68-69; P. Fabre, *De patrimoniis romanae ecclesiae* (Lille, 1892), *passim*; E. Spearing, *The Patrimony of the Roman Church in the Time of Gregory the Great* (Cambridge, 1918), pp. 22, 28-30, 40; F. Martroye, 'Les defensores ecclesiae aux v^e et vi^e siècles', *Revue historique du droit français et étranger* (1923), 607-611; and Balthazar Fischer, 'Die Entwicklung des Instituts der Defensores der römischen Kirche', *Ephemerides Liturgicae*, 48 (1939), 444-454.

33 Gabriel Pepe, *Le moyen âge barbare en Italie*, tr. by J. Gonnet (Paris, 1956), p. 164, and Schwarzlose, *Zeitschrift für Kirchengeschichte*, p. 92.

34 Guillou, pp. 167, 189-191, 197-198, and 233; and Llewellyn, pp. 142 and 160. See also Ernst Mayer, *Italienische Verfassungsgeschichte* (Leipzig, 1909), 2.194-195; A. Schäfer, *Die Bedeutung der Päpste Gregor II und Gregor III für die Gründung des Kirchenstaats* (Montjoie, 1913), p. 11; Carlo Calisse, *A History of Italian Law*, tr. by L. Register (London, 1928), p. 14, a translation of selections from *Storia del diritto Italiano*, 3 vols. (Florence, 1891), and *Storia del diritto penale Italiano del secolo vi al xix* (Florence, 1895); Schwarzlose, *Zeitschrift für Kirchengeschichte*, p. 67.

ideological vision of a Christian-Roman Empire. For it was the church, primarily the papacy, which made possible the maintenance of the fiction of imperial rule in Central Italy. The localist-separatist impulses of the province were at all times a potential threat to the title 'imperial' as applied to Central Italy, and it was the papacy which restrained these impulses. As the largest and most powerful of the Central Italian landed magnates, the papacy, although forced to give due latitude to the particularist tendencies of the Archdiocese of Ravenna, was the lynch-pin of imperial Italy. Only continued payment of taxes by the papacy could prevent the cessation of payment by the province. Only the papal obeisance to imperial authority secured it from the aristocracy. The empire was in Italy only a titular power, not an effective one, and only so long as the papacy recognized it as a power would it remain even nominally a power at all. The popes secured for the emperors what respect their writ commanded.

The point of such a situation could not have been lost on the local population — the pope was their lord. Neither could the papacy, committed to the imperial idea though it were, fail to understand the reality of the situation — it was the chief power in Central Italy.

Hence, by the end of the seventh century, the work of the popes as secular lords in Rome had caused the borders between ecclesiastical and civil affairs to become blurred to the point that, increasingly, in the minds of both the members of the papal curia and the Roman population, St. Peter seemed to have replaced Caesar as head of the state.³⁵ In short, force of circumstance was already setting conditions in such a way as to make the pope the effective sovereign, if not the titular ruler, of parts of Central Italy. At a time when imperial contraction created a void of power, the papacy was becoming the leader of Latin-speaking Italians.³⁶ It was, in fact, only the pope who could mobilize the Italian population, and when the pope was threatened by an emperor, it was to the pope, not to the emperor, that the people and army rallied. For it was the popes, by their economic support, their maintenance of administration, their care for defenses, and their stand as spokesmen for, and defenders of Italy against the Lombards, who were the real masters of what remained of imperial Central Italy.

The papacy had also developed in other directions, and these developments were enhanced by intellectual impulses among the literati of the period. The concept of a renewal of Rome and Romanism

35 Johannes Haller, *Das Papsttum*, 2nd ed. (Basel, 1951), 1.356.

36 Caspar, *Geschichte des Papsttums*, 2.645-646.

through the agency of the papacy, and in reaction to the East as well as to the Germans, was gradually developing in Rome in the period before and during the pontificate of Pope Gregory I, and was matched in practical terms by the development of an interest in creation of a westernizing policy under that pope.³⁷ Pope Gregory's efforts to make the papacy the real patriarchate of the west had borne fruit. The prestige of Rome in the west was high. Even in the chaotic Merovingian kingdom the papacy had remained, throughout the seventh century, the recognized, if unobeyed, head of the church, despite its inactivity in promoting close relations with the Merovingian church in the period after Pope Gregory's death. In England a strong Rome-oriented church was in existence and by the eighth century it was sending missionaries to the continent, not only to convert the pagans, but also eventually to reinforce Petrine ideas in Gaul and see the concept of Petrine supremacy firmly planted in the new ground of Germany. There was coming into existence, then, a new area of interest thrust upon Rome despite papal inactivity in that regard through the bulk of the seventh century. The effect of this was compelling, and the papacy quickly reacted to take an active role in the affairs of the west, which role had been anticipated by Pope Gregory I, though it remained unfulfilled till the eighth century.³⁸ Eventually, however, the papacy moved to take command of the situation with which this opportunity presented it, and with Pope Gregory II, in 719, the papacy moved unmistakably to an assertion of its claim to control the new churches.³⁹ The result was the revivifying and extension of the church of the west, of which the pope

37 Friedrich Heer, 'Die Renaissance Ideologie im frühen Mittelalter', *Mitteilungen des Instituts für österreichische Geschichtsforschung*, 57 (1949), 29-37; and *idem*, *Intellectual History of Europe*, tr. by J. Steinberg (Garden City, 1968), 1.29-42, a translation of *Europäische Geistesgeschichte* (Stuttgart, 1953).

38 Concerning the position of the papacy after Gregory I see: M. Vaes; 'La papauté et l'église franque à l'époque de Grégoire le Grand', *Revue d'histoire ecclésiastique*, 6 (1905), 782; Richard Weyl, *Die Beziehung des Papsttums zum fränkischen Staats- und Kirchenrecht*, Untersuchungen zur deutschen Staat- und Rechtsgeschichte, 40 (Breslau, 1892), p. 53; and Fliche, p. 115. In regard of the papacy's reaction to the Anglo-Saxon effort of the early eighth century consult: Richard E. Sullivan, 'The Papacy and Missionary Activity in the Early Middle Ages', *Mediaeval Studies*, 17 (1955), 63, 67-68.

39 St. Boniface, *Epistolae*, Ep. 12, ed. M. Tangl, MGH, Epp. Selectae, 1 (Berlin, 1916), pp. 17-18. See Sullivan's interpretation, p. 73. The papacy sought to demonstrate this superior position by the close connections it maintained and the supervision it exercised over the German missions. *Ibid.*, p. 74. It is interesting to note, as in John Seville Higgins's 'The Ultramonatism of St. Boniface', *Church History*, 2 (1933), 203, that Boniface's oath, taken upon his episcopal consecration (St. Boniface, *Epistolae*, Ep. 16, pp. 28-29) was made in the same form as that of a bishop suffragan to the pope. The policy of closely following and aiding the work of Boniface was taken up by both Gregory III (*ibid.*, Ep. 28, pp. 49-52) and Zacharius (*ibid.*, Ep. 50 and 51, pp. 80-92). See also Wilhelm Levison, *England and the Continent in the Eighth Century* (Oxford, 1946), p. 73; and Weyl, pp. 6-7ff.

was quickly and clearly emerging as the head,⁴⁰ and the development of a Franco-papal cooperation in the missionary and reform effort which led directly to the alliance of 754. The Anglo-Saxon missions, then, fell into the papal hand at a time when the papacy had begun to seek a means of establishing its power in the north. As a result of the missions the papacy was no longer a mere metropolitan of Italy within a fading empire, but head of a large and thriving church in the north that stood wholly outside the imperial sphere. With this new, non-imperial interest, the pope himself began to stand outside the imperial shadow and could not return to it without abandoning the north. The result was an increasingly close contact between the Frankish leadership and the papacy in the decade of the 740's which ended with papal cooperation in Pepin's usurpation of the monarchy in 750.⁴¹

Finally, of course, the papacy was faced with serious difficulties in terms of its relationship, ecclesiastical and political, with the Byzantine emperors. Before Justinian's reconquest of Italy, the weakness of the empire in Italy had meant that the western church had freedom to develop more independently than the churches in the East since it could afford to ignore the emperor or contest his authority with impunity whenever ecclesiastical policy should demand.⁴² For, even though the church in Italy had been subject to the control of a temporal power, that power was not disposed to concern itself with Rome's theological affairs, whereas, after the imperial restoration, the temporal power to which the papacy was subject was one which would meddle theologically as well as demand political obedience, and which held papal Rome hypnotized with the claim to be the political arm of the New Israel. With the reconquest, then, the relative independence which Rome had exercised in its religious development faced a serious challenge in the form of the Caesaropapism of the New Jerusalem on the Bosphorus.

40 St. Boniface, *Epistolae*, Ep. 78, p. 163; *Concilia aevi Karolini*, 6, ed. by A. Werminghoff, MGH, LL, 3.2 (Hannover, 1896), pp. 45-50; *Codex Carolinus*, Ep. 3, ed. by W. Gundlach, MGH, Epp., 3 (Berlin, 1892), pp. 480-487. Pepin and his clergy had resort to the pope as an authority on ecclesiastical matters.

41 Theodor Schieffer, 'Angelsachsen und Franken, I', *Akademie der Wissenschaften und der Literatur, Geistes- und Sozialwissenschaftliche Klasse*, 20 (1950), 1433, 1456-57; and Wilhelm Gundlach, *Die Entstehung des Kirchenstaates und des Begriffs res publica Romanorum*, Untersuchungen zur deutschen Staats- und Rechtsgeschichte, 59 (Breslau, 1899), pp. 71ff. For usurpation of the monarchy see: *Annales Regni Francorum*, a. 749, ed. by F. Kurze, MGH, SS. rer. Germ. Schol., 6 (Hannover, 1895), p. 8, and *Annales Einhardi*, a. 750, ed. by F. Kurze, MGH, SS. rer. Germ. Schol., 6 (Hannover, 1895), pp. 9-10.

42 Voigt, p. 67.

It was to be expected, then, that in the period after the reconquest of Justinian a series of religious quarrels would arise which would eventually produce an estrangement between Rome and Constantinople, for, considering the imperial view of the church, the emperor's would not be able to avoid treating the five patriarchs as mere administrative functionaries of the imperial government. Even though Justinian, in the search for imperial religious unity, may have been willing to end the Acacian schism on papal terms and recognize the pope as first priest of the church, he was not prepared to give up imperial precedence over the pope on religious questions.⁴³ The manner in which Pope Silverius was deposed and replaced by Vigilius,⁴⁴ and the episode of the *Three Chapters*, were indicative of what re-inclusion in the empire would mean to Rome.

The promise shown by Justinian was more than fulfilled in the seventh century, a period termed the 'Byzantine captivity' of the papacy,⁴⁵ and marked by a series of conflicts between Rome and Constantinople, which, though they were concerned with doctrinal questions, were fundamental challenges to Roman primacy in religious matters. Before the seventh century was very far advanced the first of these quarrels erupted in the form of a Christological decree of the emperor Heraclius. Heraclius was at that point faced with the imminent Persian conquest of the rich and important provinces of the east; most of the people of those provinces adhered to the monophysite view of Christ's nature, and were, therefore, not particularly rabid in their enthusiasm towards the orthodox empire. In order to placate the religious feelings of his subjects in those provinces and induce them to greater zeal in the imperial cause, Heraclius introduced the doctrine of monothelitism to try to smooth over doctrinal differences. As it happened, the provinces to which Heraclius had made this religious concession were soon lost: as soon as the Persians had been defeated, the eastern provinces were lost permanently to the primitive bedouin of Arabia. But, even though the necessity for Heraclius' monothelite dogma was removed, his successor Constans II, retained it. Constans

⁴³ For Justinian's concept of the position of the pope in the church see *Nov.*, 131.2. His recognition of papal authority was probably conditioned by recognition of its value as a cement for imperial unity. See also: Gian Piero Bognetti, 'I rapporti etico-politico tra oriente e occidente dal secolo v als secolo viii', *L'eta longobarda: longobardistico dell'opera storica di G. P. Bognetti* (Milan, 1968), 4.21; P. Batiffol, 'L'empereur Justinien et la siège apostolique', *Recherches de la science religieuse*, 16 (1926), 261; Heiler, pp. 223-224; Duchesne, *L'église*, p. 264; and Fliche, p. 85.

⁴⁴ *Vita Silverii*, *Liber pontificalis*, ed. by L. Duchesne (Paris, 1886), 1.292-293.

⁴⁵ Ullmann, *Short History*, p. 58.

made some attempt to reconcile the papacy to the doctrine by changing some aspects of it, but Pope Martin I condemned both Constans' *Typos* and Heraclius' *Ekthesis* at the Lateran synod of 649.⁴⁶ After being frustrated in one attempt to intervene forcefully in Rome because the exarch found the monothelite cause to be without support and joined the antimonothelite faction, Constans finally succeeded in 653 in having Pope Martin arrested and deported from Rome secretly, and after a farcical trial in Constantinople sent him into exile in the Crimea, where the pope soon died from the brutal treatment accorded him at the hands of the emperor.⁴⁷ The pope's trial for treason in complicity with the exarch's revolt was a cover for religious pressure and an attempt to intimidate the Italian opposition to monothelitism. Thus the monothelite dogma dominated relations between Rome and Constantinople even after 653 and continued to be a ground of hostility, even though Martin's successors attempted to find a political compromise with Constantinople.⁴⁸ Eventually, in 680, a grave emergency in the east, precipitated by the defeat of imperial armies by a Bulgar horde, led Constantine IV to try to reconcile the differences by a council at Constantinople, the sixth Ecumenical, which condemned monothelitism.⁴⁹ But the tenuous peace thereby established, being a concession of necessity, was short-lived. In 691, Justinian II held the *Concilio in Trullo* (Quinisext), by which a series of measures inimical to Rome's superiority were passed. Anti-imperial feeling was high in Italy at the moment, and papal attitudes had also stiffened. Thus, Pope Sergius I refused to recognize the validity of the proceedings, and Justinian II tried to arrest him, the attempt being frustrated by the Ravennese militia which refused to act against the pope.⁵⁰ Obviously, then, at a time when the separatist tendencies of Italian society were already a serious problem, the raising of religious controversies between the emperor and his chief support in the province could only contribute to the ultimate dissolution of the tie between Italy and the

46 *Vita Martini*, Liber pontificalis, 1.336-337; Pope Martin I, *Epistolae*, Ep. 1 (PL 87.128C): Impios autem haereticos, cum omnibus pravissimis dogmatibus eorum, et impiam ecthesin vel impiissimum typum, et omnes qui eos vel quidquam de his quae exposita sunt in eis, suscipiunt aut defendunt, seu verba pro eis faciunt in scripto, anathematizavimus

47 *Vita Martini*, pp. 337-338.

48 Ottorino Bertolini, 'Riflessi politici delle controversie religiose con Bizanzio nelle vicende del secolo VII in Italia', *Settimane di studio del Centro Italiano di Studi sull'alto Medioevo*, 5 (Spoleto, 1958), 2.764 and 783; Ullmann, *Short History*, p. 62.

49 Pope Agatho, *Epistolae*, Ep. 4 (PL 87.1248-1252).

50 *Vita Sergii*, Lib. pont. 1.373. See also: Franz Görres, 'Justinian II und das römische Papsttum', *Byzantinische Zeitschrift*, 17 (1908), 450; and Ullmann, *Short History*, p. 64.

papacy on the one hand, and the empire on the other. The major question at issue was how long the papacy would continue trying to find a workable relationship with the imperial government, while the government was striking at its basic foundations. By the time of the deposition of Justinian II the papacy was obviously very close to falling in with the anti-imperial sentiment of Italy. After his restoration in 705 Justinian tried to obtain assent to the religious policy he advocated, but found Pope John VII unwilling to agree. He was able in 711 to persuade Pope Constantine to come to Constantinople to arrange a rapprochement, but at the expense of giving up insistence on papal approval of the council of 692.⁵¹ As a result, at the beginning of the eighth century the relationship between the papacy and the emperor was outwardly cordial, though clearly strained. In 712-713, when Justinian was deposed for the second time, and succeeded by a usurper who re-established the monothelite heresy in Constantinople, the pope seems to have attempted to both refuse recognition to the new emperor and at the same time prevent provincial secession,⁵² a situation which demonstrated the manifest truth that imperial power depended very clearly on the support of the very institution most clearly alienated by the emperor's constant attempts to intervene in religious questions.

In general, then, it can be easily appreciated that by the end of the seventh century, the papacy had found itself in a difficult position. It was committed, as we have already seen, to a religious and political ideology which emphasized the universality of the Christian-Roman Empire, and which saw the state and the church as co-operating agencies, the church being the more important of the two. This ideology, however, was becoming increasingly dysfunctional. On the one hand the universality of the empire was obviously deteriorating; most of the western provinces, including the bulk of Italy, were in the hands of the barbarians, and in the east the empire had its back to the wall. On the other hand, it could not be overlooked that east and west were gradually drifting apart in other respects. It was becoming more and more difficult for adequate communications to pass between Rome and Constantinople; lack of appreciation of differing conditions and a growing linguistic separation were tending to isolate each from the

⁵¹ *Vita Constantini*, Lib. Pont. 1.389-390. See also: Constance Head, *Justinian II of Byzantium* (Madison, 1972), pp. 132-136; Ullmann, *Short History*, p. 64; Görres, pp. 451-452.

⁵² *Vita Constantini*, pp. 391-392. See also: B. R. Motzo, 'L'attività guerriera di re Liutprando nei primi quattordici anni di regno', *Archivio storico Sardo*, 24 (1954), 57-58; and Ullmann, *Short History*, p. 65.

other. And finally, the papacy found itself, in the ideological context, in an untenable situation. Its commitment to the Christian concept of empire combined with the reality of that empire exposed it to a situation in which the foundation of its ideological self-identification, the concept of Petrine supremacy, brought it into direct conflict with the empire to which it was so strongly committed. The papacy's emphasis on Petrine supremacy and on ecclesiastical primacy in the union of church and state was a direct challenge to the imperial concept of empire. Both institutions were in ideological positions from which they could not back down. Even though, at an earlier date, Gregory I may have hesitated to insist on imperial recognition of Petrine supremacy, the issue could only be deferred. To discard the concept would be to abandon the fundamental basis of the papacy as an institution; equivalent to institutional suicide. The result — impasse. For the papacy there were, as has been pointed out by Ullmann, two alternatives: to remove the papacy from Rome or Rome from the empire.⁵³ The former was never, however, a viable alternative.

No less troubling to the papacy than the lack of correspondence between its ideological world-view and reality, was that reality itself. By the end of the seventh century it was quite obvious that the geopolitical unity of the Mediterranean basin was being lost. The empire was relocating its center of gravity between the Balkans and Asia Minor, and the West was further isolated by Muslim control of the sea itself. Italy, in its peculiar position, was increasingly cut off from its traditional socio-cultural associations. At the same time it was quite clear that the papacy, as the Western patriarchate, had serious interests in the north of Europe.

Hence we find that by 700, the papacy was caught in a doubly problematic situation: on the level of the ideal it was committed to a decidedly dysfunctional ideology, and on the level of the mundane it was faced with an increasingly untenable relationship to the East, while being drawn ever more fully into European affairs. It was indeed a situation calculated to produce a sense of anxiety over the condition of the world. The only possible solution for Rome was to embrace fully its connection with the West and rework its ideology to make it functional in that situation. We must realize, of course, that there was no way in which the papacy could entirely drop its ideological commitment to a Christian Roman state. That commitment was too much a part of the

⁵³ Ullmann, *Short History*, p. 52 and 'Reflections', pp. 94-95.

tradition of the church, and the papacy too closely identified with Romanism for that. But the ideology could be revised to justify the severance of the eastern connection and the creation of a new Roman-Christian community with the western states. That, as we shall see, was what happened. Naturally, action preceded ideological development, and was justified by it. With a single, realistic and practical course of action open the papacy had little choice in the matter and gravitated in the only direction it could. In this situation it eventually had to reframe its ideological outlook in order to avoid a sense of violence to its past. This, then, was the Roman revolution of the eighth century, a movement drawn out by the dead weight of ideological inertia, but which nonetheless represented a radically new phase of development.

IV

As we can see, then, papal-imperial relations, in the period from the sixth through the beginning of the eighth centuries, were marked most clearly by events and tendencies which placed great strains on the papal attitudes towards the Byzantine state. The breaking point came in the eighth century, during the pontificate of Gregory II.

By the end of Pope Constantine's pontificate, 715, the papacy was poised, but teetering, on the brink of secession. The blow which knocked it over that brink was delivered by the emperor, Leo III. It has generally been assumed that the breach between Leo III and Gregory II was created by the emperor's adoption of the iconoclast heresy as the base of imperial religious policy. It has also been generally assumed that the breach was only temporary. Both assumptions are incorrect.

The iconoclast dispute was announced by the emperor after the papacy had already initiated its rebellion against the empire. This was occasioned by a dispute over taxation which itself was closely followed by the announcement of the iconoclastic policy and which has traditionally been passed over barely noticed in the general concern over the effects of iconoclasm.⁵⁴

In 726, Leo III pressed for monies to carry out his reforms within the empire, doubled the indiction or fiscal year, thereby doubling the taxes for 726. The Roman church was at that time the largest single landholder in Italy, as we have already seen, and, as the burden of increased taxation would thereby cost the church a great deal, and as this cost

⁵⁴ As has been appreciated by Guillou, p. 218.

would be extracted without benefit to Rome or Italy, Gregory II simply refused to pay. The imperial response to Gregory's refusal to pay was rather lame, to say the least; Leo ordered the pope's death, and, in fact, a plot was put into execution very soon thereafter. The local populace, however, aided by the Lombards, were able to prevent the execution of the emperor's orders, killing two of the leaders of the plot and jailing the third in a monastery. More importantly, however, the papal refusal to pay the tax turned out to be in effect a matter of withholding payment throughout Roman territory; the coloni on church land paid through the church anyway, and the rest of the population treated papal action as the signal for a general withholding of payment. In short, the tax question resulted in a major act of rebellion against the state and was a sign of the degree to which Italy was hostile to imperial pretensions.⁵⁵

The withholding of taxes was complicated by the fact that Gregory II was at the same time resisting the policy of the emperor in another major affair. By the mid 720's the Lombard king, Liutprand, had resumed his policy of pressure against the remaining imperial, or nominally imperial, territories of Central Italy. The papacy was trying to keep the situation from deteriorating completely by preserving a neutral attitude and attempting to bring off a truce. The papacy had no interest in further war. In the preceding decades Rome had been moving somewhat closer to the Lombards and did not wish at that point to have hostility develop or to have local churches forced to choose between catholic unity or local political interests. Neither did Rome wish to have its possessions endangered in such a situation. To the emperor, papal hesitation in supporting the war seemed treasonous.⁵⁶ In a sense it was, in that given a choice between local and imperial interests, Gregory II opted very clearly for the former. At approximately this point, 727, just before, or just after, the iconoclast policy was announced by Leo III, Rome and the other cities in the imperial province of Italy took the final step in throwing off imperial control by deposing the local dukes appointed by the exarch to command

55 *Vita Gregorii II*, Lib. pont. 1.403 and Paul the Deacon, *Historia langobardum*, 6.49, p. 181. See also Spearing, pp. 68-70; and Armbrust, pp. 36ff. Armbrust cites Engelen, *Die ersten Versuche zur Gründung des Kirchenstaates* (Halle, 1882), while calling Engelen's view into question on the basis of his reliance on Theophanes and Theophanes's excessive concern with Italian separation. Theophanes aside, however, the importance of the pope's example stands, as the violence of the imperial response indicated, and as Armbrust himself recognized as the crucial factor in determining popular action.

56 Carlo Mor, 'Lo stato longobardo nell'VII secolo', *Settimane di studio del Centro Italiano di studi sull'alto medioevo*, 5 (Spoleto, 1958), 1.306; and Motzo, pp. 76-77;

the urban militia units and by electing their own. Aside from the exarch these dukes had been the last vestiges of the imperial regime and their deposition was a manifestation of complete independence which was never retracted.⁵⁷

It was under such conditions that Leo III took the step of prohibiting the use of icons within the empire, which increased tensions in Italy and caused widespread unrest in the eastern provinces of the empire. The storm of protest in the East may have surprised Leo, but it could at least be brought under control temporarily, and the patriarch suppressed, while enforcement of the decree in Italy was another affair. The Italians definitely rejected it and Gregory II may have condemned it at a Roman synod in 727. Hence, Leo was forced to attempt to bargain with the pope in order to secure, if possible, his support for iconoclasm, and accordingly offered Gregory a proposition: if Gregory expressed his approval of the iconoclastic measures it was implied that the matter of resistance to taxation would be glossed over, if not, Leo would depose him.⁵⁸ As one would have expected, since the emperor had no power to depose him and could not stop the rebellion anyway, the pope refused to comply.

The emperor resorted again to attempts at the use of force. A coup was shortly attempted under the leadership of one of the local nobles, Duke Exhilaratus, who attempted to raise the Roman Campagna against the pope and send the populace to kill Gregory and execute Leo's decrees, but he was killed by the Romans and the plot foundered. A similar plot by another local magnate, Duke Peter, was similarly foiled, its author being blinded, while in Ravenna the exarch, Paul, who had also made several attempts on Gregory's life, was killed in a riot between adherents of the two parties. A new exarch, named Eutychius, was sent from Constantinople with renewed orders to kill the pope, but again the Romans, supported by the Lombards, successfully defended Rome, and in due course the exarch was excommunicated.⁵⁹

Eutychius, however, being an apparently competent politician, was

⁵⁷ A. Crivellucci, 'Stefano, patrizio e duca di Roma', *Studi storici*, 10 (1901), 113-115; L. M. Hartmann, 'Imperial Italy and Africa: administration', *Cambridge Medieval History*, 2.8a, 231-232; Louis Duchesne, *The Beginnings of the Temporal Sovereignty of the Popes*, tr. by A. H. Mathew (London, 1908), p. 16; Hartmann, *Untersuchungen*, p. 57.

⁵⁸ *Vita Gregorii II*, p. 404. For conditions in Italy see: Nicephorus, *Brev. Hist.* (PG 100.963C). See also C. J. Hefele and H. Leclercq, *Histoire des conciles* (Paris, 1907ff), 3.2.676; and Brehier, *La querelle des images*, 2nd ed. (Paris, 1904), p. 16.

⁵⁹ *Vita Gregorii II*, pp. 404-406. Armbrust, pp. 90-91, thinks that some of these nobles involved in plots against the pope may have been deposed officials.

able to maneuver successfully for a short time in an attempt to stave off total disaster for imperial pretensions. His success, however, merely deferred the final episode. Eutychius seems to have understood the situation relatively well. Under normal conditions the Archbishop of Ravenna had no particular interest in siding with the papacy, and the military elements in the archdiocese would be likely to follow the archbishop. When the question was one of action against Rome in connection with taxes or papal neutrality in regard of the war with the Lombards, then, the troops in Ravenna could generally be relied on. The creation of a religious dispute, however, altered the situation entirely and the archbishop would be forced to stand with Rome while the troops of the archdiocese would probably intervene in Rome's favor. Any movement the exarch attempted against Rome would have to be made on some pretext other than religious coercion.⁶⁰ At the same time Eutychius had to face two other problems: even with Ravenese support his military resources were not substantial enough to operate against an alerted and mobilized Roman force, and if he acted too rashly, he risked driving Rome altogether into alliance with the Lombards. This would play directly into Liutprand's hands since Liutprand, of course, aimed at the completion of the Lombard conquest of Italy. Both the papacy and the empire were naturally opposed to such an eventuality, but the war between Rome and the empire threatened to drive the pope into Liutprand's arms. Consequently, Eutychius attempted, with success, to detach Liutprand from the pope. He engaged Liutprand in a combined military operation, the object of which was to reduce the southern Lombard duchies, with which Rome had been dealing in its attempts to weaken the Lombard state, to obedience to Liutprand, and Rome to the exarch. When the combined Lombard and imperial columns drew up before Rome, however, Gregory II was able to persuade Liutprand not to attack, while Liutprand, who had his own interests to protect in this situation, and who wished mainly to keep the exarch and the pope absorbed in each other, used his position to bring about a truce between the exarch and the pope.⁶¹ The attempt was successful, and a truce, during which the exarch stayed in Rome, was maintained for a time.

Throughout these developments, however, Eutychius avoided the question of iconoclasm⁶² and even at that did not succeed in pulling

60 Guillou, pp. 219-220, 224-226.

61 *Vita Gregorii II*, pp. 407-408. See H. Pabst, 'Geschichte des langobardischen Herzogtums', *Forschungen zur deutschen Geschichte*, 2 (1867), 474-76, for an account of papal policy toward the duchies.

62 Guillou, pp. 220-221.

Rome back into the imperial orbit. The exarch's presence in Rome was that of a guest — a guest whose invitation did not extend indefinitely. Sooner or later he would be forced, either quietly and politely, or more rudely, to turn home again to Ravenna. Rome was still in rebellion, and successfully so. The problem did not end at that point, however, for in addition to having to leave Rome without having reduced it to imperial control, Eutychius had also to admit to the end of his control in Ravenna. The archbishop had for more than a century been the real authority in the exarchate and after the opening of the iconoclastic dispute he became more openly the master. The exarch found himself unable to enforce his authority in the city except in cases when the city's prelate supported him, and when, in 731, an anti-iconoclast synod was called in Rome, the archbishop of Ravenna went openly to it and willingly agreed to the excommunication of the iconoclasts, including the emperor, that it issued.⁶³ The emperor's representative and supreme governor in Italy could do nothing to prevent the archbishop's leaving the city, nor take punitive action upon his return. In short, though an exarch continued to reside in Ravenna after 727, he had no authority.

Clearly, the events which have just been discussed mark a major rebellion against the empire. Yet there is some dispute as to whether or not Gregory II was tending towards separation. There is, of course, some argument that he was not, that he was, in effect, loyal to Byzantium;⁶⁴ but what is that position based upon?

Shortly after Liutprand forced Gregory II and Eutychius to make peace, a new rebellion broke out in Tuscany which in fact raised up an anti-caesar, and Gregory II is known to have given his blessing to Eutychius' efforts to suppress it.⁶⁵ There is also a phrase in the biography of Gregory which cites his continued loyalty to the Roman Empire,⁶⁶ and a letter, written to the Venetians, possibly by Gregory II,

63 P. Luther, *Rom und Ravenna bis zum IX. Jht.* (Berlin, 1889), p. 49 and Guillou, p. 232.

64 For such arguments consult the following works: Eugen Ewig, 'The papacy's alienation from Byzantium and Rapprochement with the Franks', *Handbook of Church History*, ed. by H. Jedin and J. Dolan, tr. by A. Biggs (New York, 1969), 3.7: F. Dvornik, 'Constantinople and Rome', *Cambridge Medieval History*, 4.10, new ed. (Cambridge, 1966), p. 444; Ottorino Bertolini, 'Il problema delle origini del potere temporale dei papi nei suoi presupposti teoretici iniziali: il concetto di restituzione nelle prime cessioni territoriali alla chiesa di Roma', *Lateranum*, 14 (1948), 119; C. Bayet, 'Remarques sur le caractère et les conséquences du voyage d'Etienne III en France', *Revue historique*, 20 (1882), 90. Henri Hubert, 'Etude sur la formation des états de l'église', *Revue historique*, 69 (1899), 12; and Hartmann, *Untersuchungen*, p. 25.

65 *Vita Gregori II*, p. 408. The pretender adopted the name Tiberius but should not be confused with the Tiberius who attempted to rebel in Sicily in 718 (*ibid.*, p. 431n). See also Karl Schenk, *Kaiser Leon III* (Halle, 1880), p. 30.

66 *Vita Gregorii II*, p. 407: ... sed ne desisterent ab amore vel fide Romani imperii ammonebat.

requesting that Venice not break faith with the empire, but remain loyal to Leo III.⁶⁷

Now, concerning Gregory's supposed support of the suppression of the Tuscan rebels, let us recall the context in which it occurred. In the first place, in 726, the pope did engage in an open act of rebellion — the tax dispute, not to mention the ignoring of imperial war policy and the deposition of imperial officials, cannot be seen as anything else. It cannot be argued that the pope had to refuse payment, since the church was wealthy enough that a mere doubled indiction could be borne, if he wanted to bear it. Gregory's refusal to pay, then, was, like his other acts of disobedience, a political, not an economic act. It must also be kept in mind that it was not a small matter, but one which involved the bulk of Byzantine Central Italy. It is to be doubted that Gregory II was unaware of the fact that his example was likely to be followed by the people. In short, in 726, Gregory II made a deliberate act of political defiance intended to be understood very clearly in both Italy and in Constantinople as a rejection of Byzantine authority — whence the violent reaction on the emperor's part. In the second place, after 726, there was war in Italy between Byzantium and Rome. It was not a war of major proportions, it is true, but merely because no Byzantine army was ever likely to appear again in Italy, and because effective forces at Rome's disposal were small. But it was war none the less for that; attempts at assassination are equally war-like with assaults on fortified positions — only the attacking forces and tactical objectives differ. This war, then, came to a gradual end during Eutychius' tenure of office. It was a stalemate in a situation in which, for the empire, anything less than outright victory amounted to defeat.

Eutychius depended heavily on Lombard aid — aid which went only so far. Liutprand was a catholic and unlikely to assent to Gregory's destruction in spite of papal opposition to his expansionist policies. He was also, in the long run, the emperor's enemy, and willing to see the emperor occupied with a troublesome subject in Rome. He supported Eutychius, then, not to bring genuine peace between the Romans and the exarch, but to gain time for himself to obtain control of the duchies, complete the conquest of Italy, and forestall papal efforts to hinder him. Hence, we have, in the period of the Tuscan rebellion, an uneasy and highly artificial truce forced by Liutprand, which affected the Tuscan rebellion in two ways: first, such a rebellion would only

⁶⁷ *Epistolae langobardicae collectae*, Epp. 11 and 12, ed. by W. Gundlach, MGH, Epp., 3 (Berlin, 1892), p. 702.

help Liutprand at that point; second, the exarch had neither Rome nor the pope under control. If, then, Gregory blessed the suppression of the Tuscans, he did so partly in line with his general policy of opposition to Lombard conquest and also because he had nothing to gain from a new emperor being created — he did not need one to obtain freedom of action and he could easily anticipate such a one trying to establish himself in control over Rome. There was therefore nothing contradictory in his actions.⁶⁸

The letter to the Venetians is a very highly suspect document. Its date of composition is very uncertain and it has been variously ascribed to either Gregory II or Gregory III. There is also some debate whether it is genuine or not.⁶⁹ In this writer's opinion, it is a spurious document. It pleads for loyalty to Byzantium, but is supposed to come from a man who was at that point at war with Byzantium. It simply does not make sense in those circumstances.

We are left, then, with the statement in the *Liber pontificalis* to the effect that Gregory II desisted in neither his love for, nor his faith in the Roman Empire. This, then, is the most important possible grounds for objection to the argument that Gregory II initiated the process of papal separation from Byzantium. But it does not, in fact, support such an interpretation. The key word, of course, was empire which must be discussed at some length to clarify the pope's position.

At this point we might find it somewhat useful to turn our attention to a pair of highly important and well known letters written by Gregory II to the emperor at some point after the iconoclastic decree was published in Italy, and before Eutychius' presence in Rome. These letters have been challenged by some scholars as spurious, or as having been tampered with, but the arguments which are advanced for that view do not seem convincing, and the letters are, in addition, consistent with the situation.⁷⁰ The language employed by Gregory was rather

68 See Schäfer, pp. 25-26 and Armburst, p. 39.

69 *Epist. lang. coll.*, p. 702n.

70 Pope Gregory II, *Epistolae*, *Epp.* 12 and 13 (PL 89.511-524). Hodgkin, 6.505, whose views are typical of the group which argues that the letters are spurious, maintains that the true copies no longer exist. See also: L. Guerard, 'Les lettres de Grégoire II à Léon l'Isaurien', *Mélanges d'archéologie et d'histoire*, 10 (1890), 57-60; and Ernst Stein, 'La période byzantine de la papauté', *Catholic Historical Review*, 21 (1935), 155. But the chief argument of these men, that the letters are too violent in tone for a pope to employ toward his sovereign, is a circular one, and lame at that, in view of the violence of imperial attacks on the pope. Erich Caspar, who has also investigated the problem, rejects the notion that they are spurious: 'Papst Gregor II und der Bilderstreit', *Zeitschrift für Kirchengeschichte*, 52 (1933), 29-31 and *passim*. See also: Ullmann, *Growth of Papal Government in the Middle Ages*, 2nd ed. (London, 1962), p. 46n; George Ostrogorsky, *History of the Byzantine State*, tr. by J. Hussey, rev. ed. (New Brunswick, 1969), p. 151n; and Dvornik, *Cambridge Medieval History*, p. 443.

strong and his tone even imperious — both were totally in keeping with the situation. The theme of the letters was that Leo ought to cease promoting heresy and interfering in religious affairs. First the emperor was chided rather roughly by the pope for his stupidity on the question of the place of the icons in the religious life. Then the pope lectured the emperor on political and ecclesiastical behaviour and theory. He insisted that the popes derived their power and authority from St. Peter, and admonished Leo that dogma was not the business of emperors. He further informed Leo that because of his ecclesiastical policies he had lost his chance for salvation.⁷¹ Leo's response to this heady barrage of advice and criticism from Gregory was to claim to be both pope and caesar.⁷² To this Gregory replied that Leo's imperial predecessors did not try to act in such a fashion (obviously not true — but he was making a rhetorical point), but co-operated with the popes and respected the church. Gregory then admonished Leo that dogma was a concern only for the clergy, and that Leo should leave the church to its business. But beyond these statements of ecclesiastical theory, Gregory also warned Leo, for he told the emperor that he did not rule Italy and could not hold it; indeed, if the pope were to travel only a few miles outside Rome he would be outside the emperor's reach.⁷³ The passage in question is of double importance for us. First it shows the weakness of the emperor in Italy, and second it reveals that the imperial impotence was a prominent matter in Gregory's mind. One of the primary obligations of any state is to defend its population — a state which cannot do that, and which cannot enforce its law into the bargain, has only a questionable status. It was obviously apparent to Gregory that for any practical purpose there was no Byzantine state in Italy, and the letters to Leo III were in effect a renunciation of allegiance.⁷⁴

Gregory II seems also to have been aware that, due to the missionary efforts of the Anglo-Saxon monks in the central German territories, the ecclesiastical interests of the Roman church had begun to expand outside the realm of Byzantine power.⁷⁵ At a time when the Byzantine state was under the rule of a man considered by Rome to be a heretic, this must have been doubly significant to Gregory.

In short, several factors were leading to one conclusion; the

71 Pope Gregory II, *Epistolae*, Ep. 12, 516-518.

72 *Ibid.*, Ep. 13, 521.

73 *Ibid.*, Epp. 12 and 13, 519, 521-522.

74 Ullmann, *Short History*, p. 72.

75 Gregory II *Epistolae*, Epp. 12 and 13, 520-21, 524.

theoretical development of the papacy and the ecclesiastical role of the emperor made them implacable opponents so long as they made the attempt to function within the same system. A cleavage of understanding and sympathy had developed and was definitely growing between Rome and Constantinople. The empire on the Bosphorus had become a Byzantine state — a hellenic-oriental autocracy. It was essentially an Asian state; it had no genuine interest or power in the west. It could not hold Italy, it could not protect the people there, and, as Gregory had taunted Leo, it was quickly losing the power to enforce its laws there. Besides which, in the recent past the imperial state seemed likely itself to succumb to the pressures of internal division and external attack. At the same time, a dimly perceptible beginning was in the process by which the hodgepodge of semi-barbaric, semi-civilized states of the West were to become European society. The zeal of the Anglo-Saxon monks had thrust upon Rome a major rôle in that society. The papacy had to come to a decision; either to be patriarchs of Europe or imperial lackeys. These factors, plus the necessity of retrieving something of the position of the Latin-speaking population from the wreck of the imperial demise in Italy implied nothing less than the secession of papal Rome from the Byzantine state. The process leading to that secession, then, began during the pontificate of Gregory II. After 726, Gregory was engaged in open rebellion, yet he maintained that he continued in loyalty to the empire. Obviously, there was a semantic difficulty involved here which must be cleared up, and this necessitates an examination of papal rhetoric. From such an examination it may be possible to suggest an explanation of the situation in terms of the dichotomy between action and ideology, for both Gregory II and his successors.

Gregory II was in fact involved in what amounted to real separation from Byzantium. It is not possible to assent to the thesis that he made a separation between ecclesiastical opposition and political loyalty.⁷⁶ Such a thesis leaves out of account the tax dispute and its attendant activities. But Pope Gregory II did not think of this separation from Byzantium as secession from the Roman Empire. The papacy was inextricably bound in an ideological trap created by three centuries or more of ecclesiastical rhetoric. As we have already seen, the problem centered around ecclesiastical attempts to create a place in the Christian world-view for the empire and the emperor. One of the

⁷⁶ As advanced by Ewig, *Handbook*, pp. 4ff and Diehl, *Etudes*.

results was the etherialization of the church's view of the empire, so that the imperial state, in an abstracted form, became a part of the spiritual order of the church; it became the political aspect of the New Israel. This idealized Roman Empire was a fundamental element of the papacy's ideological baggage and it could not jettison it. Closely involved with this idealization was the concept of the renewal or rebirth of the imperial order in the west, which was current among the Roman elite in Italy during the fourth through the seventh centuries. But side by side with this etherialized Roman Empire existed the rump-empire in Constantinople, which could be seen to resemble the former less and less with the passage of time. This problem, then, is at the core of the situation. On the one hand the papacy was trying to cope with the practical problems in which the *real* empire involved it, while on the other hand it was enmeshed in the ideological coils of the *ideal* empire. It is doubtful whether Gregory II was fully aware of some of the ways in which the real and the ideal intermingled in his thoughts and expressions, and until such time as the ideological position was sraightened out, the actions of the papacy would be veiled in a haze of confusion. But it ought to be obvious, that for Gregory II, or any other pope, the trick of being at war with the one empire and maintaining allegiance to the other, its spectre, would pose no over-riding difficulty. Reasoning from the ideas we already know to have been established, we can assume that the orthodox catholic world and the empire of Rome would be, in Gregory's eyes, a unity. The two spheres were one, and to be a Christian was to be Roman and vice-versa. But the emperor must be orthodox: the divine protection of the state could only then be assured. The role of the Christian emperor was to promote Christian life — to watch over the church.⁷⁷ If the emperor should become a heretic it must logically follow that he was no true emperor. The empire, the ideal empire, would, however, have to be retained — it was the *respublica* of the Christian people, and to the idea of that *respublica* the papacy clung and was faithful throughout the eighth century; when the thought of accepting Byzantine dogmatic tutelage was no longer to be admitted in Rome, the idea of, and loyalty to, the personification of the Christian world in a Roman state remained. Given the traditional theories of church and empire, no other ideological alternative was open to Rome.⁷⁸

Hence the crumbling hold of the Byzantine state in Italy was

77 H. X. Arquillière, *L'augustinisme politique*, 2nd ed. (Paris, 1955), pp. 124-125 and Treuting, *Leipziger Vierteljahrschrift*, p. 5.

78 Cf. Llewellyn, p. 172.

thoroughly dashed by the wars over taxation and iconoclasm. Gregory II was engaged in an act of open political rebellion, and, since the emperor was unable to deal successfully with that rebellion, it marks the effective secession of the papacy and Rome from the Byzantine association. After 727, it is clear that the imperial writ no longer commanded any obedience in Rome though the diplomacy of Eutychius succeeded in preserving a façade of cordiality. When Gregory II died in 731, and was followed by Gregory III, the separation continued. There was, at first, a slim possibility that conditions might have been restored to their former state, through the diplomacy of Eutychius, but Leo III effectively prevented that. Soon after the election of Gregory III, he sent a letter to Leo III requesting an end to iconoclasm — but Leo prevented it from arriving. This blunder on Leo's part had the effect, then, of confirming Gregory II's rebellion. Shortly after this Gregory III held a synod on the subject of iconoclasm, which formally excommunicated all iconoclasts. Leo himself was declared excommunicated, and, it would logically follow, was thereafter not considered to be an emperor by the Roman church. After again detaining the papal legate, Leo attempted to retaliate by sending a punitive expedition to Italy which was shipwrecked and never arrived.⁷⁹ Hence, by 732, or thereabout, Leo had come to a point at which he was completely impotent so far as the papal rebellion was concerned, and, unable to do anything else, he confiscated the papal patrimonies in areas still under his control, Sicily, Calabria, and Illyricum. It has been argued that the confiscation of these lands was not a punitive measure on the emperor's part, but, on the contrary, simply a general increase in the taxes on those lands.⁸⁰ It seems nearly impossible to assent to such an argument, particularly in view of Gregory III's excommunication of Leo and Leo's abortive expedition against him. It is possible that at the same time Leo detached the suffragan sees in those same areas from Rome and re-assigned them to the Patriarchate of Constantinople.⁸¹ At any rate, it can be concluded

79 *Vita Gregorii III*, Lib. pont. 1.415-417 and 422n. See also G. Schnurer, *Die Entstehung des Kirchenstaates* (Cologne, 1894), p. 27 and Caspar, *Geschichte des papsttums*, 2.664. The council in 732 was commemorated in several inscriptions analyzed by D. Gunther, 'Kritische Beiträge zu den Akten der römischen Synode vom 12. April, 732', *Archiv der Gesellschaft für ältere deutsche Geschichtskunde*, 14 (1891), 238-249.

80 Karl Schwarzlose, *Der Bilderstreit* (Gotha, 1890), p. 57; Fabré, p. 61; and Vasiliev, 1.259.

81 V. Grumel, 'L'annexion de l'Illyricum Oriental, de la Sicile et de la Calabre au Patriarchat de Constantinople', *Recherches de la science religieuse*, 40 (1952), 193-196, argues that confiscation came much later and that the annexation has often been confused with the confiscation of the patrimonies. Grumel's view has recently been challenged by M. V. Anastos in 'The Transfer of Illyricum, Calabria and Sicily to the Jurisdiction of the Patriarchate of Constantinople', *Studi bizantini e neoellenici*, 9 (1957), *passim*.

that by 733, eastern power over Rome was entirely defunct. During the remainder of Gregory III's pontificate there was no connection with Constantinople, nor was there any cause for expecting any. The emperor was clearly no longer of concern to Gregory III, and although he clearly continued to think in terms of inclusion within the Roman Empire, it was already an empire divorced from Byzantium and being more and more closely associated with papal Rome and St. Peter. Under Gregory III Rome indeed pursued a policy of solidarity with Ravenna in the face of Lombard opposition, though in Roman and not in Byzantine interests,⁸² and with the emperor's wraith-like exarch looking on helplessly. When Gregory III negotiated with King Liutprand for the return of lands belonging to the duchy he spoke of those lands as belonging to St. Peter,⁸³ and when he was involved in his approach to Charles Martel he asked for aid for the church and the 'chosen people'.⁸⁴ The 'chosen people', i.e., the Romans, the New Israelites, and the Roman lands which were being attacked and for which aid was asked were not the lands or peoples of Leo.⁸⁵ Not surprisingly, the Franks of a later generation interpreted the pope's approach to Martel as implying secession from the empire.⁸⁶

In the succeeding pontificate, that of Zacharius, the papacy continued to pursue a policy of independence. Even though Zacharius, like his predecessor, wrote to Constantinople asking abandonment of iconoclasm, he generally ignored the emperor. He ruled essentially without imperial approval and was the direct master of the duchy, having placed the duke of Rome entirely under his control as his subordinate.⁸⁷

82 Guillou, p. 220; Luther, pp. 47-49; and Ewig, *Handbook*, p. 20. Guillou and Luther disagree about the attitude of Ravenna toward Rome.

83 *Codice diplomatico longobardo*, 532, ed. by C. Troya (Rome, 1852-1855), 3.690. As Llewellyn perceived, pp. 200-202, Rome was piecing together a new ideological position, though he fails to see the full extent of it or its significance.

84 *Codex Carolinus*, Ep. 1, p. 477: ...ad defendendam ecclesiam Dei et peculiarem populum See also Armbrust, pp. 59-60.

85 *Codex Carolinus*, Ep. 2, p. 478 ...res sanctorum apostolorum destruere et peculiarem populum depraedare It would be wrong to interpret this as meaning a war against the church itself or depredations against the patrimony. The *res sanctorum apostolorum* was imperial land and the *populus peculiaris* were imperial citizens.

86 *Fredregarius continuationes*, 22, ed. by B. Krusch, MGH, SS. rer. Merov., 2 (Hannover, 1888), p. 179: ...ut a partibus imperatoris recederet

87 Hubert, p. 31, asserts that confirmation was obtained from the duke of Rome, but one suspects that he was only arguing that if the pope did not get it from the emperor or exarch he must have gotten it from the duke. That, however, is not likely, particularly since the duke was the pope's man. Caspar, *Geschichte des Papsttums*, 2.738, suggests that the pope did receive confirmation from Constantine V. See Ottorino Bertolini, 'I rapporti di Zaccaria con Costantino V e con Artavasto', *Archivio di societa romana di storia patria*, 3rd series, 9 (1955), 21, for a refutation. See also

When he negotiated with Liutprand he did so as a sovereign lord and Liutprand seems to have been willing to recognize him as such.⁸⁸

The final phase of this process of separation came with the overt actions of Pope Stephen II, Zacharius' successor. Stephen II became pope in 752, and had immediately to face the problem of an aggressive Lombard kingdom. The Lombard king, Aistulf, had come to the throne in 749, under conditions which seem to have dictated a strong anti-Roman policy. During the period that Liutprand had been king (712-744) the Lombard kingdom had been continually frustrated in its attempts to complete the conquest of the remaining imperial territories in Italy. Able ruler though he was, Liutprand had to cope with a relatively successful papal policy, followed by both Gregory II and Gregory III, of encouraging and seeking alliances with the potentially troublesome elements of the kingdom to frustrate Liutprand's offensives.⁸⁹ Because of this policy, and also due to Liutprand's religious sympathies, the papacy succeeded in preventing Lombard control of Italy during that period. When Zacharius became pope in 741, he began a new policy of seeking rapprochement with Liutprand, and, due to the loss of Spoleto to the papal cause in the last years of Gregory III, and as part of this policy, he abandoned the practice of siding with the king's Lombard enemies;⁹⁰ Through this change of policy he succeeded in making peace with the Lombard king, though the peace involved recognition of Liutprand's conquests in the exarchate of Ravenna.⁹¹ The peace was preserved under Ratchis (744-749), Liutprand's successor, Ratchis' Roman sympathies were very strong, and his policy generally pro-Roman. Under papal pressure in 749, Ratchis abandoned several recent Lombard conquests from the empire. At that point the Lombard nobility's long-term frustration by the papacy reached its limit and reaction set in. The aristocracy deposed Ratchis and confined him in a monastery.⁹² Ratchis

Crivellucci, p. 123. As far as the position of the duke is concerned, we find him subordinate to the pope. *Vita Zacharii*, lib. pont. 1.429: when Pope Zachary went to Pavia to negotiate he ... *relicta Romana urbe iamdicto Stephano patricio et duci ad gubernandum* Msgr. Duchesne notes that 'On voit par cette phrase que le duc de Rome était, en ce temps-là, subordonné de fait au pape', *ibid.*, p. 437n.

⁸⁸ *Ibid.*, pp. 426-431. See also Cohn, p. 63.

⁸⁹ Pabst, pp. 474-476.

⁹⁰ Ewig, *Handbook*, p. 20.

⁹¹ *Codice diplomatico longobardo*, 560, 4.120. In this charter Liutprand styled himself *apostolicae sedis et sanctae ecclesiae defensor*. Troya is of the opinion that Zacharius gave him the title to reward him for the return of some territories to the duchy in 742. Cf. Ewig, *Handbook*, p. 21.

⁹² *Chronicon salemitanum*, 1, ed. by G. H. Pertz, MGH, SS., 3 (Hannover, 1839), p. 471; and *Benedicti Chronicon*, ed. by G. H. Pertz, MGH, SS., . . (Hannover, 1839), p. 707. Cf. L. M. Hartmann, 'Italy under the Lombards', *Cambridge Medieval History*, 2.7 (Cambridge, 1926), p. 215.

was replaced by his brother, Aistulf, and Aistulf's policy towards Rome manifested the spirit of this reaction.

As a result, Stephen II's attempts to carry on the policy established by Zacharius failed. Soon after Aistulf ascended the throne he went on the offensive and by 751 had conquered Ravenna and endangered Rome itself. Meanwhile, by taking advantage of dynastic problems in the southern duchies of Benevento and Spoleto, Aistulf was able to consolidate his power there and achieve an encirclement of Rome. The free papal enclave of Rome, then, was logically the next objective. Hence in 751, Aistulf began his offensive against Rome. Stephen attempted to adhere to Zacharius' policy of diplomacy and accommodation, and sent an embassy to deal with Aistulf. The ambassadors concluded a truce with the Lombards, but there appears to have been some confusion as to its significance: clearly the pope intended the treaty to be a peace between an independent and sovereign Rome and Aistulf, but Aistulf viewed it as implying that Rome fell under a protectorate exercised by himself, so that following conclusion of the agreement, he claimed legal jurisdiction over Rome and gave notice of his intent to levy a head tax of one gold solidus per annum on the population. It has been asserted that the tribute thus claimed by the Lombards was that normally paid by Rome to Byzantium; if true, the implication is clear. At any rate, it is clear that Aistulf was insisting that his hegemony in Italy as the conqueror of the empire should be recognized. Since such a Lombard hegemony was incompatible with the papacy's traditional desire for independence from Pavia, Stephen II could not concur. The pope made one further attempt to deal with Aistulf diplomatically, but Aistulf refused to treat with the papal ambassadors.⁹³ Since the military resources of Roman territories were insufficient for a long campaign against the Lombards there was no way out for Rome but to appeal to outside powers.

The first appeal made by Pope Stephen II was to the emperor, Constantine V. The emperor's response to the request for aid was an imperial command to negotiate with Aistulf. Whether Stephen II had made this request to demonstrate, by way of justification for his next

⁹³ *Vita Stephani II*, Lib. pont. 1.441-442; *Pauli historia longobardorum continuatio tertia*, 23, ed. by O. Holder-Egger, MGH, SS. rer. lang. et ital. (Hannover, 1887), p. 208; *Chronicon salernitanum*, 2.471-472. Concerning the taking of Ravenna by Aistulf, the *Codice diplomatico longobardo*, 645, 4.382, issued by Aistulf in Ravenna in July, 751, seems generally to be taken as settling the point. See also: Ottorino Bertolini, 'Il primo "periurium" di Astolfo', *Studi e testi*, 125 (1946), 160-161; A. Gasquet, *L'empire byzantin et la monarchie franque* (Paris, 1888), p. 235; and Hartmann, *Geschichte Italiens*, 2.2.176-177.

step, that the empire was powerless, or because he was unresolved in his mind about the nature of the situation, is not clear. But even while sending his appeal to Constantinople, he seems to have had no serious expectation of aid and was in fact preparing a more serious appeal to the Frankish king, Pepin. From this quarter he received a more encouraging response. Pepin immediately sent Abbot Droctegang of Jumièges to Rome to invite the pope to come to Frankia. In an apparent move to elicit a still stronger response, Stephen delayed sending the abbot back to Pepin with letters for himself and the Frankish aristocracy. Following that exchange, Pepin sent his ambassadors once again to repeat his invitation to Stephen to come to Frankia. Shortly afterwards Stephen left Rome with the Frankish Ambassadors, and, after a short stop in Pavia for a last attempt at negotiations in the presence of imperial envoys, he left with the Frankish party to cross the Alps. At St. Moritz, the travelers were met by an advance welcoming party and shortly afterwards by a second welcoming party led by Pepin's son, Charles. Finally, Pepin himself met the pope at Ponthion on 6 January, 754. On the following day Stephen and Pepin began the negotiations which led to the creation of an alliance under the terms of which Pepin engaged to become the military defender of the papacy and to assist in obtaining from Aistulf the return to Rome of various formerly imperial territories taken by the Lombards in the recent past. In that following spring, at the monastery of St. Denis, Stephen II anointed Pepin a second time and made him *patricius Romanorum*.⁹⁴

At this point the sequence of events as we can distinguish it becomes confused; neither the *Liber pontificalis* nor the Frankish chronicles are clear and we find mention of *placita* at both Quierzy and Berny-Rivière. Considering the events involved, difficulties of travel, and so forth, it is probable that the chronology given by Levillain is close to reality: in the spring of 754, a *placitum* was held, following which negotiations with Aistulf commenced, and in the spring of 755, another was held, the host

94 *Vita Stephani II*, pp. 442, 444-448; *Codex Carolinus*, Epp. 4 and 5, pp. 487-488; *Chronicon salernitanum*, 3, 472; *Annales metenses*, a. 753, ed. B. de Simson, MGH, SS. rer. Germ. Schol. 10 (Hannover, 1905), pp. 44-45; *Chronicon moissiacense*, MGH, SS., 1, ed. by G. H. Pertz (Hannover, 1826), p. 293; *Clausula de Pippini in francorum regem consecratione*, *Recueil des historiens de Gaul et de la France*, ed. M. Bouquet, new ed. by L. Delisle (Paris, 1869), 5.9-10. For an attempt to reconstruct the promise in detail see Percy Ernst Schramm, 'Das Versprechen Pippins und Karls des Grossen für die römische Kirche', *Zeitschrift der Savigny Stiftung für Rechtsgeschichte*, kanon. Abt., 58 (1938), 180-217. The *Clausula de unctione Pippini* has been a subject of some controversy, with some scholars doubting its authenticity. See Léon Levillain, 'De l'authenticité de la clausula de unctione Pippini', *Bibliothèque de l'école des chartes*, 88 (1927), *passim* and Ernst Schulz, 'Die Clausula de Pippino keine Fälschung', *Historische Vierteljahrschrift*, 23 (1925-26), 446ff.

summoned, and the war commenced.⁹⁵ Whether the *placita* met at Quierzy in 754, and Berny-Rivière in 755, or vice-versa, is unknown.

Beginning with the conclusion of the *placitum* of 754, and continuing throughout the rest of the year, Pepin tried to threaten and cajole Aistulf into voluntary compliance with Pope Stephen's wishes. In fact, the Frankish ambassadors made the trip to Pavia three times in all, and all in vain. Finally, in the Spring of 755, the *Heerban* was sent out and the invasion commenced. After a short campaign and feeble resistance, Aistulf, besieged in Pavia, surrendered and accepted terms: Ravenna, the Petapolis, Narni, and Cecano, and all that fell into their territories, were restored to the pope; Aistulf paid 30,000 Solidi, gave up forty hostages to Pepin, and swore never to leave Frankish lordship and never to attack the pope or the Roman state. After accomplishing these things Pepin left to return to Frankia, leaving Fulrad, his chaplain, in command of a detachment to escort Stephen II to Rome.⁹⁶

Soon after Pepin had left Aistulf broke the treaty and refused to restore the territories in question to Fulrad or to the pope. Fulrad was sent back to Pepin to witness that Aistulf was failing in his performance of his treaty obligations, and that he was raiding against Roman territory. Finally, early in 756, Aistulf besieged and occupied Narni. Rome was so closely invested that Stephen had to send his ambassadors to Pepin by sea in order to prevent their capture.⁹⁷

In early 756, two ambassadors arrived in Rome from Constantinople to see Pepin. Stephen explained that Pepin was then on the march, but they did not believe him so he sent them on to Marseilles accompanied by his representative. Pepin had already crossed the Alps when they arrived in Marseilles, and they decided to go on to meet him at Pavia, but first they tried to insure that the papal agent would not follow, so that they might have a chance to give freely their master's arguments against the pope.⁹⁸

Meanwhile, Pepin had once more easily reduced Aistulf to submission. He took one-third of the Lombard royal treasure-trove, forced Aistulf to swear obedience to the previous treaty, and revived the an-

95 Léon Levillain, 'L'avènement de la dynastie carolingienne et les origines de l'état pontifical', *Bibliothèque de l'école des chartes*, 94 (1933), 294.

96 *Vita Stephani II*, p. 449; *Fredегarii continuationes*, 36-37.183; *Annales metenses*, a. 754, pp. 46-48; *Annales Einhardi*, a. 755, p. 13; *Annales Alamannici*, a. 753, MGH, SS., 1, ed. by G. H. Pertz (Hannover, 1826), p. 28. See also Wilhelm Martens, *Die römische Frage unter Pippin und Karl dem Grossen* (Stuttgart, 1881), p. 20.

97 *Codex Carolinus*, *Epp.* 6-8, pp. 489-498, and *Vita Stephani II*, p. 452.

98 *Vita Stephani II*, p. 452.

nual tribute paid to the Franks by the Lombards in Merovingian times.⁹⁹

At about the same time the Byzantine ambassadors arrived from Mar-seilles and demanded of Pepin that he restore Ravenna and the other cities to the emperor, or perhaps pay a tribute for them. Pepin replied that he would in no way cause the lands of St. Peter, and under the rule of the pope, to be alienated therefrom. He indicated that he had acted on Rome's behalf for love of St. Peter and not for the approbation of any man.¹⁰⁰ In no uncertain language Pepin thus dismissed the claims and demands of the emperor in Central Italy. That he was acting as a papal ally is of course, highly significant.

Hence, there should be little doubt as to the Byzantine position vis-a-vis Rome by 756. Some have suggested that as late as Stephen's trip to Frankia the papacy was still subject to the emperor and the pope acting on his behalf in his approach to Pepin — the implication being that Constantine V was deceived by Stephen's subsequent actions. Such a suggestion obviously disregards the nature of Romano-Byzantine relations up to 752, and cannot be admitted. Similarly, the idea that the trip to Frankia was the pope's first independent act is absurd. If Constantine V was deceived, he had deceived himself. As we have already argued, the papacy had begun its turn away from the emperor in 726, and by 732, it was completely separate. After 732, the papacy acted on its own in Central Italy. Stephen II was, of course, interested in discovering whether Constantine V could act in Italy, since, obviously, an imperial military capacity in Italy would have changed the entire complexion of the situation. But once he discovered that Byzantium continued to be incapable of intervention, he proceeded to follow the independent policies of his predecessors. It may be that the joint Pavian embassy of 753, following which Stephen left for Frankia, had left Constantine with the impression that Stephen would deal with Pepin in the empire's behalf — but that is not what Stephen thought. Between 732 and 753, then, the empire had definitely been ignored in Rome. Once Stephen felt he could definitely count on Frankish assistance and could successfully claim imperial territories in Central Italy, he had every reason to continue ignoring the empire if he could. When, after 756, it looked as if the Byzantines would, to their limited capacity, try to make trouble for Rome, unconcern changed to enmity. In 757, Stephen specifically requested that Pepin's role as guardian be extended to preventing the emperor from attacking him. It was not long after this

⁹⁹ *Fredegarii continuationes*, 38.185.

¹⁰⁰ *Vita Stephani II*, p. 453.

that the Byzantines were openly referred to by Rome as *nefandissimi Graeci*.¹⁰¹

In sum, the period from 726 to 756, was one in which the papacy, in a gradual development, originated and put into execution, policies intended to extricate it from an increasingly untenable position. It had been faced with a series of problems stemming from the fact that the world about it was changing. It had to recognize that its traditional association with the Byzantine state was becoming more absurd as each year passed. The empire itself was progressively contracting in its geographical extent so that it became increasingly alien to Rome in its cultural outlook and in its geopolitical interests. Its nearly absolute lack of power to back up its imperial pretensions in Italy with force simply forced Rome to turn elsewhere—to itself, and eventually, to the Franks—for security. Under such conditions the attempt of successive emperors to dictate dogma to Rome, and their implicit and explicit threats to papal ecclesiastical integrity, simply were not to be brooked. The papacy, then found itself threatened with being increasingly relegated to the status of metropolitan of a minor and back-water province. It had to realize that the contraction of the empire and the Islamic presence in the Mediterranean were causing Italy to become isolated from the east. At the same time, it was faced with the prospect of a new society developing north of the Alps to which Italy, or at least Lombard Italy, was simply an appendage. Without a definitive and effective attempt to link up with this new society, Rome and imperial Italy would simply recede more and more into an isolated position till eventually Lombard conquest would forcibly incorporate it in a minor role. On two accounts, then, Rome had to come to grips with the necessity of eliminating its moribund Mediterranean connection with the east and re-establish itself in an Alpine nexus to the north. It had to become part of Europe, since here alone lay the future.

This, then, is the context in which the political history of the Roman papacy after 726 acquires significance. But the process had begun earlier than that. We must not ignore the growing anti-Byzantine spirit in Rome and Italy in the seventh century; the rebellion of 726 was a maturation of earlier movements. This is not to say, of course, that the papacy, i.e., successive popes and their curial advisors, sat down to

¹⁰¹ *Codex Carolinus*, Ep. 11, p. 506: ... ut inspiratus a Deo et eius principe apostolorum beato Petro ita disponere iubeas de parte Grecorum, ut fides sancta catholica et apostolica per te integra et inconcussa permaneat in eternum et sancta Dei ecclesia, sicut ab aliis, et ab eorum pestifera malitia liberetur et secunda reddatur atque omnia proprietatis suae percipiat *Ibid.*, Ep. 31, p. 537.

make a careful geopolitical assessment of conditions. They were simply responding to quite obvious stimuli: imperial hostility, the defencelessness of their position, a growing ecclesiastical role north of the Alps, etc. They were trying, after 726, to cope, on a day to day basis, with an intolerable situation. Whence a rebellion from imperial dominance that was controlled in its development by circumstances, and which gradually led to the alliance of 754, which marked its completion.

V

The developments we have been discussing were, of course, of extreme significance in and of themselves. They become much more significant, however, when considered in their ideological context. As we have already seen, the papacy was possessed of a very highly developed ideological worldview, some of the elements of which were common to the imperial church of late ancient times, and some of which were peculiar to Rome. The basis of the system, though it may not have been consciously systematized in Rome, was the concept of the New Israel. Christian ideas of the church as a body of the elect were combined with the concept of Roman universalism to produce the concept of an earthly Christian society, politically manifested in the empire, with a mission to absorb the world. Closely associated with this concept of the empire was the concept of the emperors as biblical kings — the divinely elected protectors of Christian society. This, then, was common to both east and west. Beyond these ideas, the papacy had, partly in reaction to the implications of the idea of biblical kingship, developed a set of concepts vaguely related to the more common tradition and highly significant, both in the context of that tradition, and in themselves. To begin with, Rome committed itself to the theory of Petrine supremacy within the church. Secondly, it advanced the argument for ecclesiastical priority over the state within the Christian society. These various threads of ideological development were all part of the tradition of Rome by the eighth century. They were not systematically developed at that point, however, and the ideological potential which they represented may not have been totally clear, at least as early as 726. Nevertheless, the implications were obvious, and, sooner or later, they were bound to be exploited.

Again, as we have already seen, the ideological tradition was bound to cause the papacy some anxiety. The psychological purpose of ideology is partly to justify the world as it is, partly to explain how it

ought to be. Increasingly, as the seventh, and then the eighth centuries progressed, it was becoming obvious that the ideology to which the papacy was committed was not satisfactory. It was, in fact, becoming increasingly anachronistic, and the more anachronistic it became, the more it became a potential source of anxiety. The ideology was dysfunctional — counter-productive. Rather than being a means of explaining the world as it was, it was becoming a reminder of the deterioration of an older world. Sooner or later it would become so unrealistic that it could no longer be held.

This means, of course, that the problems facing Rome in 726 and after, were simply aggravated. On the one hand, the various practical difficulties facing the papacy were made worse by the fact that they called attention to the inadequacy of the way the popes had been accustomed to explain the world to themselves. The papacy was in the position of being committed to the idea of a universal empire when in fact the empire was daily shrinking. It was committed to the idea of an imperial protector for the church when he appeared more and more in Rome as a persecutor. This, of course, was a situation calculated to produce either an attempt to pretend it was not so, or an attempt to rectify conditions. In neither case could anxiety be avoided. On the other hand, Rome was fully committed to the imperial ideal and could not be expected to deny it and yet retain any sense of orientation to the world.¹⁰² This meant that the papal rebellion of 726 and later was not, and could not be, matched by a clear-cut ideological development until much later. It meant that Gregory II would be at war with the emperor and articulating pro-imperial sentiments. The real empire was constantly confused with its ideological counterpart and this meant a certain vagueness about what was happening. Only when the papacy was able to develop some means of cutting itself loose from Byzantium ideologically, as well as in practice, would clarity of intent be restored.

It is in this context that the peculiar importance of Stephen II emerges. For not only was he an actor on the stage of practical politics, but he was an ideologue, and innovator who was capable of developing the necessary ideological justification and explanation for the situation as he found it and as he saw it developing. Essentially, Stephen was responsible for firming up an ideological position towards which the curia had been feeling its way for some time. This ideology was expressed by Stephen in two stages. The first stage was the development of

¹⁰² This fact is noted by Ewig, *Handbook*, p. 4, but the conclusion he reaches cannot, as will be easily seen, be accepted.

a concept which was used essentially to describe and justify the papal state in Central Italy that came into existence as the papacy made itself independent from Byzantium, and which was so greatly enlarged as a result of Pepin's intervention in 755 and 756. The second stage was the development of a concept to explain the alliance with the Franks, place it in a coherent relationship with the concept of the papal state, and create a defined role for Pepin in that same context.

Stephen II, then, was faced with the necessity of explaining, in some way that would not do great violence to the traditions of the Roman curia, the position that the papacy occupied as a result of the actions of Gregory II and Gregory III. As a consequence of the practical actions of those two popes, Rome, governed by the papacy, stood as an independent state in Central Italy. This independent stance was preserved under Zacharius and confirmed finally by imperial impotence as manifested to Stephen in 752 and 753. At the same time the papacy wished to be able to prevent Lombard control of the exarchate, and, since imperial power was categorically ended there, add it to the small independent state formed by the Duchy of Rome. The basic problem presented by this situation was the presence of the Byzantine empire. The empire had a claim to control in both areas that both law and historical tradition had to recognize. The emperor might have been excommunicated, but that did not alter the claims of the empire. Moreover, there was little to be gained from hoping for the empire to revitalize itself or the emperor to restore an orthodox religious policy, or for an orthodox revolution to sweep him from the throne. Hence it was not enough to repudiate a heretic emperor: the empire's claims had to be dealt with. The answer was the concept of the *Sancta Dei ecclesia, res publica Romanorum*, which made its appearance in 755, in Stephen's correspondence with Pepin.¹⁰³

That we are dealing with a well-defined concept seems clear from the frequency with which Stephen used that particular group of words. On the occasion of its first use it appeared twice:

... nec unius enim palmi terrae spatium beato Petro sanctaeque Dei ecclesiae, rei publice Romanorum, reddere passus est pro donationis paginam beati Petri sanctaeque Dei ecclesiae rei publice civitates et loca restituenda confirmastis.¹⁰⁴

103 *Codex Carolinus*, Ep. 6, p. 489: ... nec unius enim palmi terrae spatium beato Petro sanctaeque Dei ecclesiae, rei publice Romanorum, reddere passus est. See W. Martens, *Neue Erörterungen über die römische Frage unter Pippin und Karl dem Grossen* (Stuttgart, 1882), pp. 29-30, for a summary of earlier arguments.

104 *Ibid.*

Subsequently, the same phrasing is to be found: "... iustitiam sanctae Dei ecclesiae rei publice Romanorum"¹⁰⁵ The same phraseology appeared in the life of Stephen in the *Liber pontificalis*: in aiding the pope Pepin was spoken of as dealing with "... causae redemptionis sancte Dei ecclesiae reipublice Romanorum"¹⁰⁶ and acting to secure "... proprietatis sancte Dei ecclesiae reipublice" or "... propria sanctae Dei ecclesiae rei publice Romanorum"¹⁰⁷ The use of this particular phraseology by Stephen II seems to indicate that he was purposely linking the idea of the church with that of the *res publica Romanorum*. The two appear to be equivalent in Stephen's formulations; i.e. in apposition to one another.¹⁰⁸ The two elements of the phrase, then, *sancta Dei ecclesia* and *res publica Romanorum*, appear to be interchangeable. They were used as such in other contexts: Stephen spoke of Pepin being responsible for protecting the interests of the church in much the same terms as those of the state.¹⁰⁹ Moreover, in a situation in which Lombard aggression against imperial territory, but clearly not against the church as church, was concerned, Stephen spoke of the necessity of the Lombards living "... in pacis quieto cum ecclesia Dei"¹¹⁰ The fact was, of course, that the territories claimed by the papacy in Ravenna and the Pentapolis were imperial territories and were being claimed by the papacy for itself as the inheritor of imperial claims in Italy. Hence, the state was identified with the pope and the former subjects of the empire were "... noster populus rei publice Romanorum"¹¹¹ And attacks on the state were seen as a threat to

105 *Ibid.*, Ep. 11, p. 506.

106 *Vita Stephani II*, p. 448.

107 *Ibid.*, p. 449.

108 Gundlach, p. 27, sees it as appositive. Franz Kampers, 'Roma aeterna und Sancta Dei ecclesia rei publice Romanorum', *Historisches Jahrbuch*, 44 (1924), 240-243, seems to hold that this formulation implied the subordination of the church. To cite an example, however, in the passage quoted from Ep. 6, the phrase *rei publice Romanorum* might be either dative or genitive. If it is in the genitive, the use of this particular formulation is pointless — its use implies that it is in the dative and should be read: '... to blessed Peter and the holy church of God, [that is] to the republic of the Romans'. See also Erich Caspar, *Pippin und die römische Kirche* (Berlin, 1916), pp. 154-197. On pages 156-157, Caspar makes a grammatical analysis in which he concludes with the argument that *rei publice* is a genitive dependent on *ecclesia*, but a survey of the examples he cited does not prove his case. The only passage which supports that construction is from a letter of Pope Stephen III.

109 *Codex Carolinus*, Ep. 6, p. 490: Etenim nos omnes causas sanctae Dei ecclesiae in vestro gremio commendavimus ... *Ibid.*, Ep. 7, p. 491: ... et vos beato Petro polliciti estis eius iustitiam exigere et defensionem sanctae Dei ecclesiae procurare See also *Vita Stephani II*, p. 448: ... sanctae Dei ecclesiae causas *Ibid.*, p. 449: ... pro causa sanctae Dei ecclesiae *Ibid.*, p. 448: ... causam beati Petri et rei publice Romanorum

110 *Codex Carolinus*, Ep. 11, p. 506.

111 *Ibid.*, Epp. 7 and 8, pp. 493, 497.

both church and citizen, as though church and state were one.¹¹² The papacy was advancing the notion, then, of an ecclesiastical Roman state in Central Italy which stood as the remnant of the Christian empire.

This state was, of course, very closely identified with St. Peter. The rights pertaining to the state pertained to St. Peter: "... nec unius enim palmi terrae spatium beato Petro sanctaeque Dei ecclesiae, rei publice Romanorum reddere passus est" could be reduced to "... nec unius palmi terrae spatium beato Petro reddere voluit"¹¹³ without losing meaning. The lands of the state were "... iusticiam beati Petri"¹¹⁴ and were recovered by Pepin for St. Peter: "... causa eiusdem principis apostolorum et restituendis eius civitatibus et locis".¹¹⁵ The point, of course, was that St. Peter was the head of the state in virtue of being head of the church.¹¹⁶ Hence, the Romans were subject to St. Peter: "Sed et copiosam familiam beati Petri vel omnium Romanorum",¹¹⁷ "... hanc civitatem Romanam, in qua corpus meum constituit Dominus ..."¹¹⁸ That is why such emphasis was laid by Stephen II on the idea that the people were commended to St. Peter: "... civitas ista Romana nobis a domino Deo commissa et ovibus dominicis in ea comorantibus necnon et pro sancta Dei ecclesia mihi a domino commendata populo meo Romano, mihi a Deo commisso"¹¹⁹ Peter, then, ruled this Roman state through his vicar, the pope, who when he left Rome to flee for aid to Pepin "... egressus est ab hac Romana urbe ad beatum Petrum"¹²⁰

Basically, Stephen developed his state-concept drawing upon traditional ideas. The common identification of the empire with the Christian society was taken to its logical conclusion. This conclusion was, of course, implied in the writing of popes of an earlier period. The papacy had long held that if the church and state were joined it was the

¹¹² *Ibid.*, Ep. 8, p. 496. In several places Ottorino Bertolini has advanced the idea of Rome's acquisition of Ravenna as a private or semi-private, rather than a public acquisition. See: 'Le prime manifestazioni concrete del potere temporale dei papi nell'esarcato di Ravenna', *Atti dell'istituto veneto di scienze, lettere ed arti*, 106.2 (1947-8), 287, 293-294, and 'Gli inizi del governo temporale dei papi sull'esarcato di Ravenna', *Archivio della società romana di storia patria*, 89 (1966), 30. I cannot agree. The papal claim makes no sense except as that of a sovereign state.

¹¹³ *Codex Carolinus*, Ep. 6 and 7, pp. 489, 492.

¹¹⁴ *Ibid.*, Ep. 6, p. 489.

¹¹⁵ *Ibid.*, p. 490.

¹¹⁶ Kampers, pp. 241-244.

¹¹⁷ *Codex Carolinus*, Ep. 8, p. 495.

¹¹⁸ *Ibid.*, Ep. 10, p. 502.

¹¹⁹ *Ibid.*, p. 502.

¹²⁰ *Vita Stephani II*, p. 445.

church, under St. Peter, which was superior: the final purpose of the society was the purpose of the church, for which the state offered its assistance. If the essential element in the Christian society were the church, then it would obviously not take a great mental leap to conceptualize the situation so that the church leadership took control of the state. This was a course which the papacy had already indicated for itself during the pontificate of Gregory III.¹²¹ Considering the political conditions facing Stephen II it was only to be expected that some concept resembling that of the *Sancta Dei ecclesia res publica Romanorum* would have had to be developed. It followed naturally from traditional views.

St. Peter, then, through his papal agent, held the principatus of a Roman state based in central Italy. By taking up, on behalf of this state, the claim to imperial territories in Italy, Stephen II indicated that the ecclesiastical state was, as its title implied, the Roman Empire. For there were no other grounds for the demand for the *restitution* of these imperial lands to Rome and St. Peter, and that it was imperial territory which was in question seems clear.¹²² In 756 the papacy acquired the Exarchate, Emilia and the Pentapolis — specifically, the cities of Ravenna, Arimino, Pensauro, Conco, Fano, Cesinas, Sinogalia, Esis, Forumpopoli, Forumolivi, Castro Sussubio, Montefeletri, Acceragio, Monte Lucate, Serra, S. Marino, Vobio, Orbino, Callis, Luciolis, Egubio, Comicalo and Narni.¹²³ In 757 the papacy claimed Faventio, Imola, Ferrara, Ausimo, Ancona, Umano and Bologna.¹²⁴ The claims were advanced, then, as claims of the sovereign of the Roman state. At the same time, of course, the continued existence of Byzantium was not forgotten, and the Byzantines were accounted for in the world-view: they became, quite simply, Greeks, from whose 'pestilential malice' Rome had to be protected.¹²⁵ The implication was quite clear: the em-

¹²¹ *Codice diplomatico longobardo*, 532, 3.690. In 740 Pope Gregory III wrote to the bishops of Lombard Tuscany to seek aid in gaining the return of four castra of the duchy which ... quae anno praeterito Beato Petro ablata sunt Note that the four forts were lost to St. Peter, not the emperor.

¹²² *Codex Carolinus*, Ep. 6, p. 489: ... nec unius enim palmi terrae spatium beato Petro sanctaeque Dei ecclesiae, rei publice Romanorum, reddere passus est unde et sine affectu iustitiae beati Petri ad proprium ovile et populum nobis commissum sumus reversi pro donationis paginam beati Petri sanctaeque Dei ecclesiae reipublice civitates et loca restituenda confirmastis (490) pro causa eiusdem principis apostolorum et restituendis eius civitatibus et locis. It should not be assumed that papal patrimony was in question here. The patrimony was essentially agrarian land termed *massae* or *fundi*. Stephen, however, was claiming *cities* — cities which had been imperial possessions.

¹²³ *Vita Stephani II*, pp. 453-454.

¹²⁴ *Codex Carolinus*, Ep. 11, p. 506.

¹²⁵ *Ibid.*

pire, ruled by a heresiarch, ceased to be part of Christian society and hence could not stand as a block to papal claims. Byzantium was no longer of the New Israel, while the subjects of St. Peter were still the Chosen People.¹²⁶

Hence the situation in which Rome found itself by the middle of the eighth century, in which the hostility of Byzantium and the empire's contraction forced Rome to break loose and seek new ties elsewhere, was articulated by Stephen II as one in which the New Israel, the Christian society, was cut off from those who could no longer be considered part of the Christian covenant, and was reduced to the Roman state. This solved the embarrassing problem of continued Byzantine existence and the claim of the Byzantine emperor to Central Italy, as well as the issue of Roman treason. The Christian Roman state continued to exist, but the east was no longer part of it.¹²⁷

Hence it was in the capacity of head of state that Stephen II approached Pepin in 753-754, and the alliance between them was an alliance between Pepin and the Roman Empire. In the eyes of the pope, the alliance made Pepin an officer of the hierarchy of the Roman state. Pepin's function therein had two aspects: a practical active role as *Patricius Romanorum*, and an ideological, and essentially passive, role set forth at various intervals in the papal correspondence with Pepin during the pontificates of both Stephen II and Paul I. It is, then, an analysis of the position of Pepin within the Roman state as assigned him by Stephen and Paul to which we now turn.

In 754, at St. Denis, after having received Pepin's oath to come to the aid of the Roman state, Pope Stephen anointed Pepin a second time and appointed him *Patricius Romanorum*.¹²⁸ The title thus bestowed upon Pepin has in the past been the subject of considerable controversy. A number of scholars have seen in the title the office of the exarch of Italy — a Byzantine function.¹²⁹ However, though the title *patricius* was

¹²⁶ *Ibid.*, Ep. 10, p. 502: ...populus meus peculiaris meam Romanam civitatem et populum meum peculiarem See also Bertolini, *Lateranum*, pp. 106, 114 and *passim*. Cf. *Codex Carolinus*, Epp. 1, 2, and 8, pp. 477-8 and 496.

¹²⁷ Hence the theory of a limited Italian national state contained within the Byzantine state (Caspar, *Römische Kirche*, pp. 164-69) must be rejected. Caspar fails to take into account the position claimed for St. Peter, which obviates that of the emperor. He is correct, however, in seeing the Roman state of 756 as only part of a larger 'ideal' empire — but that larger 'ideal' empire was not Byzantium. See also Diehl, *Etudes*, pp. 413, 417 and Martens, *Römische Frage*, pp. 71-77, 106-107.

¹²⁸ *Clausula de Pippini*, pp. 9-10.

¹²⁹ For interpretations of this sort see the following works: Max Heimbucher, *Die Papstwahlen unter den Karolingern* (Augsburg, 1889), p. 23; Heinrich von Sybel, 'Die Schenkungen der Karolinger an die Päpste', *Historische Zeitschrift*, 44 (1880), 55; Schnürer, p. 43; Johannes Haller, 'Die Karolinger und das Papsttum', *Historische Zeitschrift*, 108 (1912), 46-47; and Ludwig Oelsner, *Die Jahrbücher des*

used by the Byzantines, it was used as an honorific, not to designate an office, while Pepin's title most surely designated a function or office. It would not be correct, moreover, to deal with the title simply in terms of the title *patricius*. The title was not simply *patricius*, but, *Patricius Romanorum*, and that qualification was all important. None of the emperor's deputies in Italy was ever formally titled *Patricius Romanorum*.¹³⁰ The title given Pepin had nothing to do with any Byzantine office. Nor was it a mere honorific, but it constituted an office in the Roman state and was, in all probability, the invention of Stephen II or the papal curia.¹³¹ In bestowing it the Pope acted on his own cognizance as chief of the Roman state. In general, the argument that it was a Byzantine office, e.g., that of the exarch, makes sense only if one assumes that as late as 754 Stephen II was still acting for the Byzantine emperor. Since such an assumption does not seem warranted by the information available, the only logical conclusion is that the patriciate was a papal Roman office.

If the patriciate was an office within the ecclesiastical Roman state, it is, of course, desirable to attempt to discover its nature and limitations. There can be little doubt that the patriciate made Pepin a subordinate of the pope. Though it was once thought that Stephen II commended himself into Pepin's *mundeburdium* in 754, and was therefore Pepin's legal dependent, that thesis simply cannot be maintained.¹³² Within the Roman state it seems clear that the principate was eternally held by St. Peter. As vicar of St. Peter, the pope would obviously wield this power in practice as acting chief of state. If Pepin became an officer of the state as *Patricius Romanorum*, by appointment by

fränkischen Reichs unter König Pippin (Leipzig, 1871), p. 145. For a number of modern arguments along these lines see: Josef Déer, 'Zum Patricius Romanorum Titel Karls des Grossen', *Archivum historiae pontificiae*, 3 (1965), 31-50; Werner Ohnsorge, 'Der Patricius Romanorum Titel Karls des Grossen', *Byzantinische Zeitschrift*, 53 (1960), 300-309; and Francis Dvornik, *Cambridge Medieval History*, p. 445. However, none of these works successfully challenges the argument of F. L. Ganshof, *infra*. For a short review of the general problem see Herwig Wolfram, *Intitulatio 1: Lateinische Königs- und Fürstentitel bis zum Ende des achten Jahrhunderts*, *Mitteilungen des Instituts für österreichische Geschichtsforschung*, Ergänzungsband 21 (Vienna, 1967), pp. 229-230.

¹³⁰ François Louis Ganshof, 'Note sur les origines byzantines du titre *Patricius Romanorum*', *Annuaire de l'institut de philologie et d'histoire orientales et slaves*, 10 (1950), 265; Hartmann, *Untersuchungen*, p. 28; and Cohn, p. 120.

¹³¹ G pp. 269-275 and Martens, *Römische Frage*, p. 81.

¹³² For the argument concerning Stephen's commendation consult: Peter Rassow, 'Pippin und Stephen II', *Zeitschrift für Kirchengeschichte*, 36 (1916), 497; Gundlach, p. 75ff; Caspar, *Römische Kirche*, pp. 16-17; and Haller, *Historische Zeitschrift*, pp. 65-66. For the argument against the commendation thesis see Karl Heldmann, 'Kommendation und Königsschutz im Verträge von Ponthion', *Mitteilungen des Instituts für österreichische Geschichtsforschung*, 38 (1920), *passim*.

the chief of state, then he would logically be so appointed as a subordinate officer of the pope. This, however, appears to be as far as one may safely go in outlining his position in the hierarchy; below the pope — but how far below? Was he second in line after the pope? Was he subject to the officials of the Roman curia, or their superior? Or was the patriciate an extraordinary office standing completely outside the structure of the papal curia? I am inclined to accept the latter view. In the first place, one should note the distinctly clerical character of the curia which logically excluded Pepin from comparison. Second, the next pope, and therefore the next head of state, would come from the curia. Third it was in the curia that policy was initiated and influenced, an activity from which Pepin would be excluded. Fourth, the role of Pepin as it was actually played out confirms that judgement. Obviously, however, we are dealing in inference, for there was never a description of the purely legal aspects of the office given by the pope.

In terms of the function of the *Patricius Romanorum* we are treading on much more certain ground. While it is impossible to say whether the patriciate carried with it any civil functions, it is relatively certain that it did carry definite military functions. Pepin, through this office, was the military protector of the state. For this we have Pope Stephen's word,¹³³ and the further argument of the nature of the alliance itself. The primary function of the alliance, and of Pepin within it, was to protect the Roman state and redeem the lands it claimed from the Lombards.¹³⁴ It also is possible to conclude one further fact about the office. Namely that, as it was conferred on Pepin's sons as well as Pepin himself, it was intended to be hereditary, and, therefore, if not permanent, at least a long-standing function of the Carolingian house.

The office of the *Patricius Romanorum* was, then, a vaguely defined one. Never openly and distinctly developed, it leaves the modern historian guessing at the limits of its powers. While one can conclude that it made the Carolingians the generalissimi of the ecclesiastical Roman state, one can only surmise whether or not there were any other functions attached to it. On the other hand, the appointment of Pepin to the patriciate was not the only papal indication of his role. The

¹³³ *Codex Carolinus*, Ep. 10, p. 501: Ideoque ego, Apostolus Dei Petrus, qui vos adoptivos habeo filios, ad defendendum, de manibus adversariorum hanc Romanam civitatem et populum mihi a Deo commissum

¹³⁴ Heimbucher, p. 26 and Ganshof, p. 264. Apparently, while the Lombard issue was a major one, Pepin had other protective responsibilities, perhaps against the Byzantines. *Codex Carolinus*, Ep. 6, p. 490: Etenim nos omnes causas sanctae Dei ecclesiae in vestro gremio commendavimus *Ibid.*, Ep. 11, p. 506.

correspondence of Stephen II and Paul in the *Codex Carolinus* set forth the elements of an ideology defining the role of Pepin in terms which seem distinct from his office, but which complemented it and which made it more cogent in terms of its content within the papal concept of the state.

Though the development of this ideology came after the actual forming of the alliance, the events of 754 offer a clue in the direction in which papal views were developing. In 751, St. Boniface had anointed Pepin as King of the Franks. At St. Denis, in 754, Stephen II had anointed him again. It has been assumed that this unction was, like the first, merely a regal unction designed to strengthen the house of Pepin in the face of discontent focusing on Carlomann and his sons.¹³⁵ One must ask, however, if it was only that. There is also the possibility that the unction given by Stephen II was closely connected with the patriciate. Stephen may have been thinking in terms of a link between Pepin's kingship and the patriciate which transcended the Frankish state. The pope was, in fact, saying that Pepin had become the chief secular officer of the Roman, i.e., Christian, society. This larger responsibility was connected with the kingship of the Franks and, therefore, hereditary in Pepin's house. In effect, then, Professor Walter Mohr is correct in his assertion that in 754, Pepin became David to the pope's Samuel.¹³⁶ Exactly that idea was asserted in the correspondence of both Stephen II and Paul. Stephen specifically identified Pepin with Moses and David,¹³⁷ and Paul told him that just as God had sent Moses to the Israelites in Egypt, and later sent Joshua and David to lead Israel, he had also sent Pepin and his sons to guard the church.¹³⁸ The King and

135 Robert Holtzmann, *Die Italienpolitik der Merowinger und des Königs Pippin*, 2nd ed. (Darmstadt, 1962), pp. 37-38; Carl Rodenberg, *Pippin, Karlmann und Papst Stephen II*, *Historische Studien*, 152 (Berlin, 1923), pp. 12-13, 20-23, 25-28. There are, however, a few objections to be raised: first, there does not seem to have been any trouble from Carlomann until the subject of the alliance had already come up; second, Carlomann's intervention, sponsored by Aistulf, seems to have been specifically aimed at destroying the alliance. It is still possible, of course, that fear of the aristocratic discontent was a factor, but the evidence is not conclusive.

136 Walter Mohr, *Studien zur Charakteristik des karolingischen Königtums im achten Jahrhundert* (Saarlouis, 1955), p. 40. See also Walter Ullmann, *The Carolingian Renaissance and the Idea of Kingship* (London, 1969), pp. 72-76, and Eva Müller, 'Die Anfänge der Königssalbung im Mittelalter', *Historisches Jahrbuch*, 58 (1938), 349.

137 The idea was introduced briefly by Pope Zachary about 747, when the papacy was in the process of cultivating its relationship with Pepin, *Codex Carolinus*, Ep. 3, p. 480. Following the successful conclusion of the alliance, Stephen II introduced the idea in more definite fashion: *Quid enim aliud quam novum te dixerim Moysen et prae-fulgidum asseram David regem. Ibid.*, Ep. 11, p. 505. The idea was most thoroughly developed by Pope Paul, however, in a series of letters extending roughly from 760 to the end of his pontificate.

138 *Ibid.*, Ep. 33, pp. 539-540: *Olim omnipotens Deus, cernens populi sui Israhelitici lamentationem et impiam ab Aegyptiis illis infernam oppressionem, misertus est eis, mittens famulum*

his sons were each identified as the New Moses and New David.¹³⁹ Paul was careful to assert the idea that it was not simply papal choice that had so exalted Pepin, but that of divine authority. Pepin had been predestined to fulfill the office.¹⁴⁰ Pepin's role was of such importance that there could be no suitable earthly reward — only God could repay him.¹⁴¹ His credits were piling up in heaven and a regal crown awaited him there.¹⁴² His name and those of his sons would be inscribed with those of David and Solomon in the Kingdom of Heaven.¹⁴³

suum Moysen, per quem, signa et prodigia exercens, eundem suum eripuit populum; et (540) per eum, legem illis instituens, ad optatem eos illis perduxit requiem. Cui etiam Iosue, ut praeliaretur bella Domini, adnectit atque alios sui divini nominis cultores eis consessit auxiliores. Sed in omnibus illis non ita complacuit eius divina maiestas, sicut in Davit rege et propheta, testante eodem misericordissimo Deo nostro in id quod ait: 'Inveni David servum meum secundum cor meum, in oleo sancto unxi eum', cui et regnum et semini eius in aeternum gloriose tribuit possidendum. Sic enim, praecllentissimi atque nobilissimi filii, a Deo instituti reges, isdem dominus Deus noster in vestra christianissima conplacuit excellentia atque, in utero matris vos sanctificans, ad tam magnum regale provexit culmen, mittens apostolum suum, beatum Petrum, per eius nempe vicarium, et oleo sancto vos vestrumque praecllentissimum genitorem unguens celestibus replevit benedictionibus et sanctam suam catholicam et apostolicam ecclesiam atque orthodoxam christianorum fidem vobis commisit exaltandum atque viriliter defendendam.

139 *Ibid.*, Ep. 42, p. 554: ... novum te Moysen in his diebus refulsisse *Ibid.*, Ep. 39, p. 552: Novus quippe Moyses novusque David in omnibus operibus suis effectus est Christianissimus et a Deo protectus filius et spiritalis compater, domnus Pippinus, Dei nutu victoriosissimus rex

140 *Ibid.*, Ep. 16, p. 513: Etenim, excellentissime fili et spiritalis compater, quoniam Deus omnipotens ex utero matris tuae te predestinatum habens, ideo te benedicens et in regem ungens, defensorem te et liberatorem sanctae suae ecclesiae constituit, pro quo ea, que ad utilitatem ipsius sancte Dei ecclesiae respiciunt, per hos nostros apostolicos apices benignae excellentiae tuae deprecandum maturavimus. The idea was also advanced that the whole point of the second anointing was to make Pepin David. This was the point of the citation from *Psalm* 88 concerning the unction of David and its connection with the role of Pepin. *Ibid.*, Ep. 33, p. 540. *Epp.* 33 and 35, pp. 540, 543, also apply the predestination idea to the sons of Pepin.

141 *Ibid.*, Ep. 22, p. 525: ... neque praemiorum huius mundi ad horum remunerationem digna vobis possunt rependi; verumtamen est unus solus et verus in tribus substantiis consistens Deus, qui iusta caelestis regni gaudia et victoriae triumphum impertire ac retribuere excellentiae vestri potest. *Ibid.*, Ep. 18, p. 518: Orantes dominum Deum nostrum, qui actus vestros ita sua pietate disponat, quatinus excellentiae vestrae praesentis vitae spatia cum prosperitate disponat, victoria regni gubernacula, perfruens longeviter exequatur et ad promissionis aeternae praemia ... et in celestibus regnis cum sanctis et electis suis utrosque vestrum isdem omnipotens Deus faciat perenniter gratulari.

142 *Ibid.*, Ep. 43, p. 557: ... tu quoque, fundamentum et capud omnium christianorum sanctam Romanam redimens ecclesiam et universum ei subiacentem populum, gaudens atque laetus omnipotenti domino Deo nostro offerre satagis, cuius tanti pii operis perfectionem adhibere benignitas tua anhalat; dequo iam repositam sibi in celestibus arcibus praemiorum credat consequi remunerationem. *Ibid.*, Ep. 31, p. 537: ... quatenus repositam sibi in caelestibus regnis coronam mercedis a domino Deo nostro percipere mereatur. *Ibid.*, Ep. 35, p. 543: ... sicut in praesenti vita regalem vobis concessit dignitatem, ita quoque et caelestia vobis conferat praemiorum gaudia.

143 *Ibid.*, Ep. 33, p. 540: ... et cum David et Salemone regibus et ceteris Dei cultoribus vestra in celestibus regnis adscriptae sunt nomina. *Ibid.*, Ep. 43, p. 557: Unde merito ... cum egregio illo ac praecipuo David rege et eximio prophetarum in celestibus regnis participem te esse

If the papacy found words of praise and exaltation for Pepin and his family, it did not lack them for the Frankish people as a whole. Since according to both Stephen and Paul, the Franks under the house of Pepin were fulfilling the commands of God, they could be considered in analogy to the people of Israel under David, as in Psalm 88: 22-30. Hence the Franks, under the line of Pepin, would be rewarded with earthly prowess and dominion, for Pepin, like David, would be made victor over all barbarian nations.¹⁴⁴ According to the popes, God extended his hand over Pepin, his family and all the Kingdom of the Franks, giving them victory by causing their enemies to fall before them.¹⁴⁵ As spiritual immortality rewarded the individual who served God, earthly immortality would accrue to this people, and the kingdom of the Franks would be conserved to the end of time.¹⁴⁶

There are, of course, a number of ways in which this impressive description of Pepin's role was significant. Pepin was seen in a dual role: as patrician he was an officer of Christian society, and his office existed independently of both his war-chieftanship over the Franks and his personal qualities.¹⁴⁷ He was war-lord of the Franks by election of the nation, but patrician [and Christian king] through an unction which made of him a semi-sacerdotal figure participating in biblical kingship. Seen in this light the alliance of 754 becomes a symbol of the union of *regnum* and *ecclesia* in the earthly reflection of the Kingdom of God — the Roman state. Further, the position created for Pepin put him in the emperor's stead. Through this ideology Pepin emerged not as one king among others, not even as a more favored king than all the rest — he was the David of the New Israel.¹⁴⁸ Hence, he potentially oc-

144 *Ibid.*, Ep. 8, p. 496: ...Deo omnipotente, que te unxit super turbas populorum per institutionem beati Petri in regem. *Ibid.*, Ep. 17, p. 516: ...victorem te super omnes barbaras nationes faciat. Cf. *Ibid.*, Epp. 7 and 24, pp. 491 and 528.

145 *Ibid.*, Ep. 22, p. 526: Deus autem omnipotens de throno suae maiestatis super vos regnumque vestrum atque amantissimam coniugem ... vestros quidem carnales natos ... necnon et super universum Francorum populum respicere dignetur et sui brachii dexteram super vos extendat atque victorias vobis de caelo concedat omnesque adversarios ante faciem vestram prosternat. Cf. Psalms 88: 22-24: ... manus enim mea auxiliabitur ei, et brachium meum confortabit eum, nihil proficiet inimicus in eo, et filius iniquitatis non apponet nocere ei. Et concidam a facie ipsius inimicos eius et odientes eum in fugam convertam.

146 *Codex Carolinus*, Ep. 37, p. 548: ... vos vestrique suboles et cuncta vestra proles atque universum regnum Francorum usque in finem seculi conservare spondistis *Ibid.*, Ep. 27, p. 517: ... semen vestrum splendidissimum usque in finem mundi eundem regni fruatur culmen Cf. Psalms 88: 5: Usque in aeternum praeprabo semen tuum et aedificabo in generationem et generationem sedem tuam. *Ibid.*, 88: 30: ... et ponam in saeculum saeculi semen eius et thronum eius sicut dies caeli.

147 Theodor Mayer, 'Staatsauffassung in der Karolingerzeit', *Vorträge und Forschungen*, 3 (Constance, 1956), p. 171.

148 *Codex Carolinus*, Ep. 43, p. 557. Psalms 88: 28: ... et ego primogenitum ponam illum, excelsum prae regibus terrae. Cf. Alastair Guinan, 'The Christian Concept of Kingship as Manifested in the Liturgy of the Western Church', *Harvard Theological Review*, 49 (1956), 52.

cupied the same relative position in the state that the emperor had occupied. It was not mere coincidence that the same identification with biblical kings which was attached to the emperors was attached to Pepin. Pepin was given the same function as the emperor; protection of the faith and defense of the church. Like the emperor, Pepin was the elect of God rather than of man, and he was to be the wielder of the most important aspect of secular power in the state. The development of the papal view took into account the relationship between the Roman state and the Frankish people. If we assume that the Romano-Christian state was the New Israel, then the assertion that the Franks and the Romans were one people, the 'chosen people'¹⁴⁹ becomes particularly relevant, and the identification of the Franks as a holy nation and royal priesthood confirms the position of the Frankish people as peoples of the covenant¹⁵⁰ — citizens of Rome. Hence the meaning of those passages attributing God-given victory to the Franks: the community of the alliance was to be the universal empire of peace and order directed by God, and those who stood against it were to be cast down.¹⁵¹

The obvious question of the intention of papal policy in this matter clearly arises. There is the possibility, which some, no doubt, will wish to assume, that all this was mere rhetoric, and that if it had ideological significance it was unintentional. There is also the possibility that it was not unintentional. The men who issued these statements were politically-minded men. They were able practitioners of the political art, and had been trained and had held office in a political milieu in which they would not be strangers to the terms and concepts of traditional Christian political theory.¹⁵² Moreover, these statements which they issued were not made in the heat of excited discourse, but embodied in carefully prepared letters. Are we to assume that Stephen and Paul did not understand the conceptual implications of the terms they used? Are we to assume that a letter written under conditions of mental stress or excitement could not be purged of compromising or unintended rhetoric by the bureaucrats of the chancery? Are we to assume that phrases and themes appearing repeatedly in the writing of

149 *Codex Carolinus*, Ep. 10, pp. 502-503: ... Romanum populum, fratres vestros peculiares inter omnes gentes vos omnes Francorum populos habemus

150 *Ibid.*, Ep. 39, p. 552: Et vos quidem, carrissimi, 'gens sancta, regale sacerdotium, populus acquisitionis', qui benedixit dominus Deus Israhel Cf. Walter Mohr, *Die karolingische Reichsidee* (Münster, 1962), pp. 21-22, 28, and *Charakteristik*, pp. 34-35.

151 Guinan, pp. 233-234 and Ullmann, *Carolingian Renaissance*, p. 1.

152 Ullmann, *Carolingian Renaissance*, p. 44.

two popes over a period of more than ten years¹⁵³ were accidents? None of these assumptions could be safely made. The possibility, then, that these ideological statements were unintentional is clearly inadmissible. We are dealing with a clear ideology linked to consistent papal policy, held to firmly for more than a decade. An understanding of this ideology of biblical kingship forces one to accept the notion that Stephen's statements concerning the *Sancta Dei ecclesia res publica Romanorum* formed coherent ideology. For the two depend upon each other. Such an understanding also makes clear much that would otherwise be murky in our view of papal politics in the eighth century.

VI

From 726 to 752, the papacy went through what amounted to a rebellion against the Byzantine state and justified that rebellion by developing, under Stephen II, a theory according to which the Central Italian lands controlled by Rome became the core of a renewed Roman Empire over which the pope exercised control, and which allowed the papacy to lay claim to the other imperial lands in Central Italy. But though the emperor in the east had been repudiated, the idea of the emperorship could not be repudiated. For the pope to hold purely secular office would not be merely a denial of the nature of state-church dualism within the community, but also a negation of the pope's spiritual office. This, and the practical need of a strong secular defender necessitated the nomination of someone to fill both the theoretical position vacated by the absence of the emperor, and to carry out the secular functions of the emperor in regard of the church. The answer to at least the latter problem was the alliance of 754, and the development of the ideology of biblical kingship as applied to Pepin as *Patricius Romanorum*. A major fact to be kept in mind is that the two ideologies were really parts of a coherent whole. The reworking of the ideology of empire under Stephen II preserved the implied identification of the Roman state with Israel and of the Romans with the chosen people. The identification of the Frankish people with the Romans played upon the same concept. Hence the development of this larger ideology was

¹⁵³ The same concept of biblical kingship was used by the anti-pope Constantine who followed Paul on the papal throne, *Codex Carolinus*, Ep. 98, p. 649. This would seem to indicate that the concept was well-enough known as closely associated with Pepin by the members of the curia as to be part of the normal mode of addressing him. See Ullmann's assertions in *Carolingian Renaissance*, pp. 1-2.

doubly significant. Obviously, it was in some way intended to rationalize a new political position for the papacy in central Italy and rework the papacy's concept of empire to avoid both a commitment to a dysfunctional concept and the implicit anxiety of overtly throwing the concept overboard. In addition it solved the problem of defining Pepin's role in the alliance and served as an indication that Stephen II and Paul were aware that their alliance with Pepin meant that the papacy was severing itself from one society to become part of a new one and were able to provide conceptually for that problem.

The ideology also accomplished a conceptual revolution in the idea of empire. As already noted, sovereignty in the Roman ecclesiastical version of the empire belonged to St. Peter. The ideology of biblical kingship was consistent with this. Pepin was placed in a context traditionally associated with the emperor, even though he was not an emperor. The point is that there was to be no emperor; the reversal of the roles was complete and the repeated papal insistence on Pepin's subjection to St. Peter made it clear.¹⁵⁴

The implications of this papal ideology are profound. They may be divided into two categories: immediate and general. To begin with, one immediate implication was continuing papal pressure on the Lombard Kingdom. While Stephen limited his claims to Aistulf's conquests in 753, and only extended them to include Liutprand's in 757, the potential claim was open-ended in that all of Italy had been imperial territory. Secondly, of course, the ideology was connected in some way with the coronation of Charlemagne. Whether he got the David idea and a view of himself as emperor from the *Codex Carolinus* or not, the ideology made it possible for Leo III to act. As far as the longer range implications are concerned, the first is that with this ideology we have an important stage in the development of an idea of Europe as a coherent and unified society. The second is that with the development of this ideology we have the imposition of the anachronistic imperial idea as a burden to European political thought, where it lay for more than a thousand years.

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¹⁵⁴ *Codex Carolinus*, Epp. 10, and 21, pp. 501-503, 523. The theme was consistent throughout the correspondence of both Stephen II and Paul. Hence it is necessary to disagree with Ullmann's assertion ('Reflections', p. 95) that the papacy allowed the imperial title to rest with Byzantium till 800.

THE MIDDLE DUTCH PROSE LEGENDARY IN THE
McMASTER UNIVERSITY LIBRARY, HAMILTON, CANADA

Laurel Braswell

EARLY last year Mr. Derek Robertson, Rare Books Librarian of the Mills Memorial Library, McMaster University, called my attention to the existence of a small, bound manuscript recently catalogued by him as MS. 41.¹ Upon further investigation the manuscript proved to be a Middle Dutch Legendary containing eleven whole or fragmentary saints' legends written from the late fourteenth to the late fifteenth centuries. Subsequent examination showed that the collection is notable in not being a translation from Jacobus de Voragine's *Legenda aurea*, a legendary immensely popular from its mid-thirteenth-century compilation in Latin to its sixteenth-century vernacular versions: in fact, at least 600 manuscripts of this legendary have been preserved and there are 90 printings from around 1500, twelve of which are in Middle Dutch.² In spite of the popularity of the vernacular *Legenda aurea* and its tendency to supplant all other vernacular legends as service or private devotional books, the McMaster Middle Dutch legendary indicates that some earlier, independent legends continued to be read and, judging from the worn condition of this particular manuscript, read well. The legendary is also of considerable interest for its use of some very early *vitae*, notably the pseudo-Theotimus' life of Saint Margaret, which claims to be a fourth-century account, and a tenth-century life of Saint Pantaleon.

¹ I should like to express my thanks to the staff of the Mills Memorial Library, especially Mr. Robertson, and to the staff of the library of the Pontifical Institute of Mediaeval Studies, Toronto, for their generous and willing assistance. To Mr. Willem Helder and Dr. J. Faber of Hamilton I am grateful for invaluable suggestions in matters concerning the Dutch language.

² See J. van den Gheyn, S. J., *Catalogue des manuscrits de la Bibliothèque Royale de Belgique*, V (Brussels 1905), pp. 390-406, nos. 3411-3438, and J. Deschamps, *De Middelnederlandse vertalingen van de Legenda Aurea van Jacobus de Voragine* (Groningen 1952), pp. 21-2.

McMaster University Library MS. 41, [Middle Dutch Prose Legendary].

The manuscript contains ii + 163 leaves with a written area approximately 7 × 10 cm. Except for the leaves pasted inside the binding the leaves are paper with six watermarks throughout.³

Collation, Binding.

The binding is calf on boards and still retains intact its single brass clasp. It seems contemporary with the last section of the manuscript, i.e., late fifteenth century. The soiled, torn condition of certain leaves, the different hands, and the large number of watermarks of different date and origin suggest that sections of the manuscript were in use before being bound. These are section one (ff. 1-2), section two (ff. 3-63), section three (ff. 64-133), section four (ff. 134-50), section five (ff. 151-6), and section six (ff. 157-63). Possibly the parchment leaves now pasted against the boards represent an original sleeve-binding. The parchment leaf against the front binding now projects to form a one-cm. strip visible between ff. 2^v and 3 to which the first gathering (ff. 1-2) has been sewn, and the corresponding final leaf has a similar strip visible between ff. 156^v and 157 to which the final section (ff. 157-63) has been sewn. That the first gathering circulated separately is suggested by an absence of wormholes corresponding to those running through ff. 3-14, holes which do in fact correspond to those visible on the parchment strip between ff. 2^v and 3. The final section contains a watermark not found in the preceding sections (see n. 3).

Writing and Decoration.

The six hands vary in date from the late fourteenth century to the late fifteenth. The first (ff. 1-54^v) is a Gothic bookhand (*littera textualis*) of the end of the fourteenth century. The second (ff. 55-63^v) is also *littera textualis* but slightly later in date of a neater, more professional nature; it has also corrected and added to the text of the first hand, e.g., f. 11^v. The third hand (ff. 64-96^v) employs a shallow, open cursive (*littera bastarda*) with a few secretary forms. This hand

³ C. M. Briquet, *Les Filigranes*, ed. Allan Stevenson (Amsterdam 1968), 4 vols., cf. nos. 351-3 (ff. 29, 43); 1672-4 (ff. 3, 7, 13, 28, 90, 91); 1685-7 (ff. 4, 15); 1813-6 (f. 149); 5896 (ff. 65, 98, 126); 14234, 14240 (ff. 157, 158). The watermark on ff. 105, 115 is a mere fragment, but may form part of the dolphin on f. 65. That on ff. 61, 72, 81 is too indistinct to identify.

breaks off in the middle of line 12, f. 96^v. The fourth scribe takes up the text here in a somewhat similar *littera bastarda*, completes most of that legend (Barbara) and most of the next (Dorothea), but the conclusions to both are wanting after ff. 133 and 150. The fourth hand, as the second and third, has added to and corrected preceding work. It also added rubrics on ff. 72^v, 84, 91, 93, and 94^v in a *littera textualis*. A fifth hand has added an *exemplum* of Saint Barbara comprising ff. 151-6^v and made a note to this effect in the space immediately following the legend proper on f. 138^v. The fifth hand differs strikingly from the others in that it is a late fifteenth-century *littera quadrata* which appears very conservative, crude, and non-professional. A sixth hand has added the final legend in a Gothic cursive (*littera cursiva formata*) of the latter part of the fifteenth century.

There is little decoration except for a four-line red and white initial with red pen-work beginning the legend of Saint Barbara (f. 69^v) and the three-line initial in blue and red beginning Dorothea (f. 138^v). Rubrics are in red, and proper names throughout are either underlined or scored through in red.

Compilation and Date.

Because collation, binding, and scribal divisions correspond roughly to groups of feasts represented in the manuscript,⁴ it would seem that the work represents an agglomerate legendary which grew as several series of legends for the summer saints (*cf.* the Middle Dutch *legenda aurea* divided into *Somer Stuc* and *Winter Stuc*) were put together. To this basically summer-feast core other miscellaneous legends and one *miraculum* were added, probably as they became available. Section two (June 5-21) seems to represent such a core, and that scribe apparently added to it a July series actually written by another scribe. He or someone else placed the July section first, so that those saints are now out of sequence. Section three ends imperfectly toward the conclusion of the life of Saint Barbara, while the next section begins with one of her *miracula*, although in the same hand. The torn, soiled margins at this point in the manuscript (f. 134) suggest the fourth section was separated originally from the third, and that during this time the conclusions of

⁴ Feast dates represented in the legendary are, in order, Margaret, July 20; Pantaleon, July 27; Boniface, June 5; Odolphus, June 12; Marcellianus and Marcus, June 18; Martin, Translation, June 19 or 21; Tiburtius, August 11; Barbara, December 4; Dorothea, February 6; and Fides with Spes, Caritas, and Sophia, August 1.

two legends (Barbara, between ff. 133-4, and Dorothea, between ff. 150-1) were lost. Sections three and four may represent portions of another legendary; they were attached to the core with no regard for chronological sequence. The *miraculum* of Saint Barbara was added much later after section four and is now separated from the life proper by the life of Saint Dorothea. The sixth and final section adds the legend of Saints Fides, Spes, Caritas, and Sophia, also without regard for chronological sequence. Scribal corrections and additions which appear in the last three sections have not been made by the same hands which appear in the first three sections. This suggests to me that the legendary as it now stands existed in two separate halves shortly before final compilation.

Watermarks distributed throughout the legendary seem consistent with the stages of compilation I suggested above. Their dates, moreover, correspond approximately to the different hands. The earliest watermark appears on ff. 29 and 43 (*Cf.* Briquet, no. 351, from Troyes, *ca.* 1408) and the latest on ff. 157 and 158 (*cf.* Briquet, no. 14234, from Troyes, 1449). The latest (and last) watermark in the manuscript would then be nearly contemporary with the date of 1448, assigned to the event described on ff. 151-6^v (see item 10).

Provenance.

The six different sections of the manuscript, each with a different origin and date, contribute greatly to the problems of determining provenance. Gorinchem, site of the event of A.D. 1448, represents the only specific locale mentioned. The contents include saints generally venerated throughout the Low Countries and northern France. Of these Saint Margaret's cult was especially popular in Brussels, Tournai, Echternach, Hannoult, and Bruges.⁵ Liège venerated all the saints mentioned, with Saint Dorothea held there in special esteem.⁶ Utrecht had the original shrine of Saint Odulphus, but he was venerated in Liège and other religious centres throughout Belgium. The *Liber floridus* produced in Ghent *ca.* 1120 lists five saints included in our legendary and, it is worth noting, the rarer legends as well of Saints Marcus and Marcellianus; it also contains a translation of Saint Martin different, as

⁵ *AA. SS. Boll. Jul.* V, p. 28.

⁶ *CF.* especially the fourteenth-century Briggittine Breviary from Liège, now Oxford, Bodleian Library MS. Buchanan, F. 2, in which feast dates correspond generally to legends as represented in the McMaster legendary.

in our legendary, from the more common account by Sulpicius Severus.⁷ A fourteenth-century legendary from St. Trond, now MS. 57-8 in the Liège University Library, contains a similar though shorter version of the pseudo-Theotimus' life of Saint Margaret; as well in the work are the legends of Saints Fides, Pantaleon, Martin (but Sulpicius' version), and Tiburtius.⁸ Thus, there would be little in the manuscript's contents to localize it more precisely than a somewhat southern area of the Low Countries, possibly in the proximity of Liège.

The watermarks described above are too varied to be of much value in determining provenance, but at least three are similar to those attributed by Briquet to Troyes (nos. 351, 1672, and 14234). At the same time, none can be definitely attributed to the Netherlands.

More recent history of the manuscript suggests a southern Belgian area, too. The (probably) Flemish names "Matheus Jans" and "J. B. Ockermans" are frequently recorded in marginal notes referring to various business transactions which took place toward the end of the eighteenth century.⁹ The name Pierre Cou[mont?] has been scribbled in a different eighteenth-century hand in the margin of f. 26v, while in the margin of f. 27 there appears "Zeer Sory" in a similar hand.

The Hamilton, Canada, history of the manuscript began in 1968 when it was obtained by the Mills Memorial Library, McMaster University, as part of a collection of books and papers purchased from Mr. Barry Brown of Dublin, Ireland.¹⁰

7 Lambert of St. Audomarus, *Liber Floridus*, ed. Albert Derolez (Ghent 1968).

8 I am grateful to Monsieur R. Forgeur, Keeper of Manuscripts of the Bibliothèque Générale of the University of Liège, for allowing me to obtain a microfilm of the relevant portions of this manuscript. The manuscript has been described by M. Grandjean, *Catalogue des manuscrits, Bibliothèque de l'Université de Liège* (Liège 1875), no. 210.

9 At least five of the references to "Matheus Jans" occur probably as receipts of rent payments made by Jans to Ockermans from the year 1795. The two longest read: "Ontfangen van Matheus Jans de Somme van achtendertig guildens in voldoeninge van het jaar 1700 vijf en negentig, actum de -26- Meert. J. B. Ockermans 1796" (f. 54), and "Ontfangen van Matheus Jans de Somme van 3 gulden in voldoeninge van zijn huys ..." (remainder of line illegible, f. 66); cf. also ff. 13, 156, and 163. "Meert" for Maart" and the name Ockermans both suggest Flemish origin. On f. 48v a curious note in Ockermans' hand reads: "den ouden moet men eren en/den jongen moet men leren en den/sieken moet men laven/en den doeden moet men begraven./ Ontfangen van Matheus Jans."

10 Mr. Barry Brown, now deceased, left no record of circumstances relating to this particular purchase. I base my assumption that the manuscript was bought in Belgium, probably between 1958 and 1960, on the following evidence: a bookseller's French title and price in what must be Belgian francs ("1.000. Martyrologe Flamand, incomplet," f. i) and book-marks cut from an entry card to a "Foire Congolaise" given in conjunction with an international exposition of building materials, probably as part of either the Brussels World Fair, April, 1958, or the Brussels International Fair, May, 1960.

Contents.

1. *Life of Saint Margaret*, ff. 1-30^v, incomplete.¹¹(a) *Prol.*: (ff. 1-2^v), beginning and end wanting.

Inc.: "doeue doet hoeren, die dode verweert, die marteleren croent, ende alle die in hem gheloeuen behouden maect. Want ic Theodimus heb ontfanghen dat doepsel inden naem des vaders ende des soens ende des heiligen gheest in alre wijsheit ende const gods."

Expl.: "Mer Theodimus ende haer voestere waren inden kerkere ende dienden haer van water ende ..." (breaks off end of fol.).¹²

(b) *vita* (ff. 3-31), beginning wanting.

Inc.: "mit sinte Teclen ende sinte Susannen. Dalre salichste maghet sinte Margareta was Teodosius dochter, die der heydenen patriarche was."

Expl.: "Verleenende onsen here ihesu Christo, dien eere glorie cracht ende moghentheit is in die werelt der werelden. Amen."

2. *Life of Saint Pantaleon*, ff. 31-54^v.¹³

Die legende vanden heiligen martelare sinte Panthaleone.

Inc.: "In dien tiden dat Maximiaen die keyser regneerde was in die stat van Nychomedien grote persecucie der kerstender menschen."

Expl.: "Ende heeft van onsen here vercreghen die crone der hemelscher glorien. Op die vijfste kalende van Augustus. God heb lof."

¹¹ Cf. *BHL*, *Passio Auct. Pseudo-Theotimo*, no. 5303, and *BHG*, no. 1165. Latin versions are printed in Boninus Mombritius, *Sanctuarum seu vitae sanctorum*, II (Paris, 1910), pp. 190-6, and B. Assmann, *Angelsächsische Homilien und Heiligenleben*. Bibliotheca der Angelsächische Prosa, III (Kassel 1889), pp. 208-20 (from London, British Museum MS. Harleian 5327, ff. 1-34). The Middle Dutch version in the McMaster legendary resembles more closely Assmann's text and the similar version in Liège MS. 57-8, ff. 41-3^v, but is more expanded than either.

¹² Cf. f. 30^v: "Want ic was die ghene die haer diende in den kerkere van water ende broede ..." This early reference in the prologue to the bringing of water and bread to the saint while in prison by the alleged author and saint's foster mother concludes the now imperfect prologue; the reference does not occur in any other pseudo-Theotimus life known to me.

¹³ *BHL*, no. 6439; cf. *Catalogus codicum hagiographicorum bibliothecae regiae Bruxellensis*, ed. Hagiographi Bollandiani, Vol. II (Brussels 1889), no. 21, p. 415; see also "Catalogus codicum Hagiographicorum Bibliothecae civitatis Carnotensis," *Analecta Bollandiana*, 8 (1889), p. 130 (Cod. 144, tenth century), and *AA. SS. Boll., Jul.* VI, p. 401, n. 20. Mombritius, *op. cit.*, II, pp. 347-53, presents a fuller version with a different feast date. It is worth noting that no editions of the *Somer Stuc* contain a life of this saint.

3. *Life of Saint Boniface*, ff. 55-57;¹⁴

Van sinte Bonifacius ende sinen gesellen merteleren.

Inc.: "Die werdighe man sinte Bonifacius gheboren wt enen eylande van Brytannien diende nernstelic onsen here."

Expl.: "In welker plaetsen gheschieden myrakelen, mit shonnen ghebeden ter eeren gods, die leeft ende regniert in ewicheit. Amen."

4. *Life of Saint Odulphus*, ff. 57-8^v, conclusion wanting?¹⁵

Van sinte Odulphus den Confessor.

Inc.: "In dentijden des goidertieren keisers Lodewijcs was een eerwerdighe man gheboren wten gheslechte van vrancrijc. Bodgis gheheiten."

Expl.: "Want doent vuer wt vant men den voerscreuen stock metter taefelen onghequetst vanden vuer. Ende daer en was een letter nyet wt van alles dat in die tafel ghescreuen was." (although the account seems itself complete, there are five lines blank at the bottom of the fol.).

5. *Life of Saints Marcus and Marcellianus*, ff. 59-61.¹⁶

Van Sinte Marcus ende Marcellianus marteleren.

Inc.: "Die heilighe gods Marcellianus ende Marcus ghebroeders waren voer den naem gods inden kercker gheleit."

Expl.: "Dat men se met swerden doersteken soude daer sy stonden, ende alsoe voeren sy metter coronen der mertelien totter blijscap die ewelic dueren sal."

6. *Translation and Miraculum of Saint Martin*, ff. 61-2^v.¹⁷

Van sinte Mertens translacie.

Inc.: "Sinte Merten wart versoecht busscop te sijn te toeren, ende want mens wten cloester nyet lichtelic krighen en const."

EXPL.: "Doen dy misse ende alle dinc voldaden was, ende men soude gaen eten, soechtmen den voerscreuen abt, mer men en consten nyet vinden. Waeren wy meynen, dat enighe enghelsche creatuere was, die sinte Mertten ghesien hadde, ende daer na nyet meer en openbaerde."

¹⁴ BHL, no. 1401, "Vita auct. presb. Ultraiectino," although the McMaster legendary omits the prologue and is a somewhat shorter version. Similar versions are contained in AA. SS. Boll., Jun. I, pp. 469-73; *Hystorie plurimorum sanctorum noviter et laboriose ex diversis libris in unum collecte* (Cologne 1483), ff. 290^r-1^a; *Hystorie plurimorum sanctorum* (Louvain 1485), ff. 79^v-81^v.

¹⁵ BHL, no. 6318, but minus the prologue. Similar versions, all without the prologue, are found in AA. SS. Boll., Jun. II, pp. 89-91; *Hyst. SS.* (Cologne), ff. 293^d-5^c; and *Hyst. SS.* (Louvain), ff. 84^v-6^v. Cf. the very similar Middle Dutch version in *Somer Stuc* (Gouda 1478), pp. lx^v-lxiii^v.

¹⁶ BHL, no. 5302, and cf. AA. SS. Boll., Jun. IV, pp. 469-70. As was also the case for Saint Pantaleon, see n. 13 above, no editions of the *Somer Stuc* contain a life of these saints.

¹⁷ BHL, Suppl., nos. 5619-23?

7. *Life of Saint Tiburtius*, ff. 63-63^v, conclusion wanting.¹⁸

Van Sinte Tyburtius den mertelere.

Inc.: "In den tijden dat die persecucien oft dat veruolghen der kersten van den tyrannen zeere groot was, gheselden ofte vuechden [hem, *added above line*] sich een gheueynsdelic metten werdighen man gayo."

Expl.: "Ende nv coemt hy ende beschuldicht ende berespt dy [die, *written above line*] kersten ende bid ons dat wy den viant willen ons ondergheuen. Hy verweect den ..." (breaks off end of fol.).

8. *Life and Exemplum of Saint Barbara* ff. 64-138^v, conclusion wanting.¹⁹

(a) *Prol.* (ff. 64-9^v).

Inc.: "Dat ic alder onweerdichste knecht dan niet gheuonden en worde als versuemt, ende verborghen te hebbene alselken pont als my van gode gegheuen es soe salic na die macht mijnre cleynheit, ende cleynre verstennessen meer al stemelende dan sprekende oft dicterende, pinen te operbarene."

Expl.: "Van welker es die alder beste ghifte ende die alder volmaecste gaue nedercomende van de vader der lichte. Hem si glorie in der ewicheit. Amen."

- (b) *vita* (ff. 69^v-133^v), conclusion wanting.

Dit es die legende van der edelder gheboerten vanden doechdeliken leuene ende glorioser mertelien der hoogheborender heiligher ioffrouwen ende weerdegheer mertelerssen Christi sinte Barberen. Hoe si van conincliken gheslechte es voert ghecomen ende gheboren. Dat eerste capittel.

Inc.: "Binnen der tijt dat Titus ende Vespaciaen regneerden ende die stat van Iherusalem ghedestruceert hadden."

Expl.: "Hierom laet ons huer bidden, dat si voer ons gheweerdighe te bidden ihesum hueren sueten bru- ..." (ends imperfectly, bottom of fol.).

- (c) *exemplum* (ff. 134-8^v).

Exempel van Sinte Barbelen.

Inc.: "Die bisscop van Sinte Goerux, die een rijke mechtich eertsbisscop van Enghelant es, hadde enen knecht in sinen dienst gheheeten Hubrecht."

Expl.: "daer god dit groote mirakel dede ter beeden sijnre lieuer bruet Sinte Barberen."

Added in a later hand: "Slaet desen legende overe ende leest

¹⁸ BHL, *Suppl.*, no. 8285 f?

¹⁹ BHL, no. 918 (*Auct. Johanne de Wackerzele*). Similar versions are found in *Hyst. SS.* (Cologne), pp. 228^c-9^b, and *Hyst. SS.* (Louvain), ff. 3-4.

dat exempel van sinte Barbara dat daer na volghet" (*i.e.*, ff. 151-6^v).

9. *Life of Saint Dorothea*, ff. 138^v-50^v.²⁰

Hier beghint sinte Dorothea leuen der heiligher maecht ende mertelerse.

Inc.: "De eerwerdighe maeghet ende mertelerse Dorothea was van edelen gheslechte ende wten bloede der senatoren gheboren. Welker maghet vader gheheten was Dorotheus ende huer moeder Theodera."

Expl.: "Si waert ghepassijt in den iaere ons heren doen men screef vijf end neghentich des vijfsten daechs in sprockille. Sinte Theophilus passie staet int leste deel van den passinael, opt hondertichste ende lxxxiiij blat beghin- [hende] ("de" as catchword in lower-right margin).²¹

10. *Exemplum of Saint Barbara*, Gorinchem, A. D. 1448, ff. 151-6^v.²²

Hier beghint een schoen exempel vander heiligher maghet sinte Barbara, dat gheschiedt is in die stadt van Gorrichum in den iaere ons liefs heeren M.cccc. ende xlvij.

Inc.: "[H] (two-line initial not filled in) gheviel op sinte Augustijns nacht datter was binnen der stad van Gorchum een onteerbaer man van lxx iaren gheheeten Henric Cock, ende was een vleesch houwer."

Expl.: "Ende der heiligher joncfrouwen Sinte Barbaren. Soe hab ic dit wonderlijc mirakem warachtich gheschiet in scriefte gheset ende achter ghelaten. Deo gracias."

11. *Life of Saints Fides, Spes, Caritas, and their Mother, Sophia*, ff. 157-63.²³

Die legende der heilige vrouwen Sophien met haren drij dochteren.

(a) *Prol.* (f. 157).

Inc.: "Den die predicacie des woerts gods alle die werelt doer liep ende die leringhe der waerheit wassende was, soe track der mensschen herten vander af goden oefeninghe tot der kennessen gods."

Expl.: "dat die wasdom des gheloefs alsoe wert vermeerdert."

²⁰ BHL, no. 2325; AA. SS. Boll., Feb. I, pp. 781-4, and Liège, University Library MS. 278, described by Grandjean, *op. cit.*, no. 219. A similar version may be found in Hyst. SS. (Cologne), ff. 244^b-5^a, and Hyst. SS. (Louvain), ff. 23^v-4^v.

²¹ Cf. BHL, no. 2325: "Des. Theophilus autem primitus sacro baptismates ... ad christum perrexit. Alibi legitur quod postquam Theophilus (*sequitur brevis epitome ultimae partis Passionis ib.*)"

²² The *miraculum* is not listed in BHL, cf. nos. 933-47, nor included among the many *exempla* for Saint Barbara in the *Winter Stuc*, cf. f. cxiiij-cxvi. Several contemporary collections of *miracula* might well have provided the source, see, e.g., *Catalogus Codicum Hagiographicorum ... Bruxellensis*, II, pp. 382, 426, and 429.

²³ BHL, no. 2971; Liège MS. 57-8, ff. 14^v-6^v; Hyst. SS. (Colognē, ff. 443^a-4^f; Hyst. SS. (Louvain), ff. 286^v-9^v.

(b) *Vita* (ff. 157-63).

Inc.: "Hier omme verwecte oft stoecte hi der gheenre herten die doen ter tijt troemsche rike regeerden om dat si theilege kersten gheloue persecueren ende veruolghen soudent. In dier tijt dat Adriaen die keyser regneerde soe was een edele vrouwe met namen gheheten Sophia."

Expl.: "Dese saleghen meechden gods, Fides, Spes, ende Karitas waren ghepassijt te Roome op deerste kalende van Augustus."

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LETTER CXXX OF BISHOP ROBERT GROSSETESTE: A PROBLEM OF ATTRIBUTION

Frank A. C. Mantello

FOLIOS 124v-125v of *Oxford, Bodleian Library, MS Bodley 750* are three pages of a quarto parchment codex written in England.¹ They are in a late thirteenth-century hand and contain an encyclical letter attributed to Robert Grosseteste, bishop of Lincoln (1235-1253),² by Henry R. Luard, who edited it from this manuscript (henceforth, for convenience, referred to as *Bodley 750*, MS *B*, or *B*) for his Rolls Series edition of the letters of Grosseteste. He assigned it the number CXXX.³ Nowhere has Luard explained his reasons for ascribing the letter to bishop Grosseteste, but his decision was apparently based on one or more of the following five considerations, which, taken together, do, indeed, make such an attribution plausible.

(1) The *intitulatio* or salutation of the letter as preserved in MS *B* reads: *R. miseratione diuina lincolniensis episcopus etc.* The letter *R* Luard took to stand for *Robertus*, doubtless influenced by the fact that the word *Grosseteste* has been added in the left-hand margin in a later but strikingly similar hand, which scarcely clashes with the script of the letter itself. This marginal ascription or gloss, written slightly above the base line and connected to the letter *R* by six dots, cannot but be considered very valuable, particularly in the absence of a title or any other descriptive marginalia.

1 Falconer Madan and H. H. E. Craster, *A Summary Catalogue of Western Manuscripts in the Bodleian Library at Oxford* (Oxford: Clarendon Press, 1922), Vol. II, Pt. I, p. 478 (no. 2661), provide a full description of the codex and list its contents. Cf. also S. Harrison Thomson, *The Writings of Robert Grosseteste, Bishop of Lincoln* (Cambridge: University Press, 1940), p. 193.

2 Grosseteste was consecrated bishop at Reading on 3 or 17 June, 1235. He died at Buckden in Huntingdonshire on 9 or 10 October, 1253. D. A. Callus, ed., *Robert Grosseteste, Scholar and Bishop* (Oxford: Clarendon Press, 1955), p. 3, suggests a birthdate of 1168 "or thereabouts."

3 H. R. Luard, *Roberti Grosseteste Epistolae* (London: Longman, Green, Longman, and Roberts, 1861), pp. 439-442.

(2) A fifteenth-century inventory on flyleaf IV^v refers to the letter as *Epistola Roberti Grosseteste transmissa clero sue diocesis*.⁴

(3) The fact that *Bodley 750* also contains a copy of bishop Grosseteste's exceptionally popular translation of the Greek *Testamenta XII Patriarcharum*,⁵ although by no means conclusive in itself as to the authorship of the letter, might well be considered as arguing in favour of Grosseteste as its author.

(4) The letter expresses such an extraordinary zeal for the *cura animarum*, that anyone familiar with bishop Robert's letters and with his activities as pastor and diocesan cannot help but suspect his authorship.⁶ Besides, the letter could be described as Grossetestian in both tone and style.

(5) There does not appear to be any specific internal evidence in *B*'s copy of the letter, e.g., a hopelessly irreconcilable date or event or fact, or the use of a word or phrase or scriptural quotation, which might induce one, in the face of all the other details of positive evidential value mentioned above, to repudiate, or at least to doubt, the authorship of Robert Grosseteste. We are also quite safe palaeographically: it is certain that ff. 124v-125v of *Bodley 750* were *not* written before Grosseteste began his episcopate in 1235.

Letter CXXX apparently circulated independently. It is not to be found in any of the extant manuscripts containing the collected letters of Robert Grosseteste and, as far as editor Luard could ascertain, *B* was the only copy of it.⁷ Luard suggests, furthermore, that the letter was written in early October, 1250, shortly after bishop Robert's return from the papal court in Lyons.⁸

In spite of the cumulative weight of the evidence outlined above, it is now possible to challenge the traditional ascription of this letter to

4 There are two inventories. One, on flyleaf III^r, dates from the mid-thirteenth century and is contemporary with the entries it lists, which are in a hand ending on f. 119v col. 2. The last two items on ff. 120r col. 1-125v are late thirteenth-century additions in two distinct hands and are mentioned only in the fifteenth-century inventory on flyleaf IV^v.

5 Thomson, *Writings*, pp. 42-44. The ascription to bishop Grosseteste is a fifteenth-century addition.

6 See, for example, the following letters of Grosseteste in Luard's edition: XI (pp. 50-54), XIII (pp. 57-59), XVI-XIX (pp. 62-69), XXII (pp. 72-76), XXV (pp. 97-100), XXX (pp. 116-117), XLVI (pp. 138-140), XLVII (p. 140), XLIX-LII (pp. 144-154), LXXII (pp. 203-204), LXXIV (pp. 241-243), LXXVII (pp. 248-249), LXXXV (pp. 268-270), LXXXVII (pp. 273-275), CVII (pp. 317-318), CXII (pp. 329-333), CXXVIII (pp. 432-437). See also J. H. Scrawley, "Grosseteste's Administration of the Diocese of Lincoln," in *Robert Grosseteste, Scholar and Bishop*, pp. 146-177.

7 Luard, *op. cit.*, p. xcvi.

8 *Ibid.*, pp. lxxiii-lxxiv; cxxxi: "Written in 1250, soon after his return from Rome (*sic*), as would appear from Matt. Par. p. 802." Grosseteste reached England about Michaelmas day (29 Sept.).

Robert Grosseteste by means of a hitherto unexploited manuscript of letter CXXX written on parchment in England in the late thirteenth century. H. O. Coxe gave a description of this copy in 1858⁹ and it is recorded by S. Harrison Thomson in his *Writings of Robert Grosseteste, Bishop of Lincoln*.¹⁰ It is Oxford, Bodleian Library, MS Laud Misc. 439, f. 253v, henceforth referred to as *Laud Misc. 439*, MS A, or A.¹¹

As will be evident from an examination of the textual apparatus below, this "new" manuscript of the letter, when compared with the Bodley 750 version, provides a full salutation (p. 156, lines 1-4);¹² two additional half-sentences (p. 158, lines 69-74, the first of which includes an intriguing reference to a *longa peregrinatio*; a valediction (p. 159, line 89); and, most significantly of all, as will be shown,¹³ a dating clause (p. 159, lines 90-91) which states that the letter was given at Dover on 31 March, in the third year of the bishop's pontificate (*Datum apud Doueriam secundo Kalendas Aprilis, pontificatus nostri anno tercio*).¹⁴

Two new facts (i.e. the reference to a pilgrimage and the mention of a precise date and place) provided by this second manuscript, *Laud Misc. 439*, cast into doubt, as will be demonstrated,¹⁵ the validity of at-

9 Coxe's description is in his *Catalogus Codicum MSS. Laudianorum: Codices Latini* (Oxford, 1858), col. 318:

[ROBERTI GROSTETE], ep. Lincolnensis, epistola encyclica ad abbates, priores, etc. de ecclesiae statu querentis; dat. apud Doveriam ii. kal. Aprilis; Pontificatus nostri anno tercio. fol. 253.

Incip. "Cum nos licet immeriti simus officii debiti verbi Dei."

Rogat, ut peregrinatio ejus longa orationibus eorum alleviatur; etc.

It would seem that both Luard and Thomson were unaware of this description.

10 Thomson, *Writings*, p. 193. He does not, however, seem to have examined the *Laud Misc.* copy of the letter although he states, p. 192, that "a tentative effort has been made to revise the dates assigned to the letters by Luard." "... I am quite sure, *a priori*," he admits, "that some source of information which would have improved the conjecture has often been overlooked. Yet it seemed expedient to make the effort. Luard's dates are given in square brackets. If there has appeared to be no reason to revise his date, or if it has been impossible, for a variety of reasons, the date remains as his." Thomson accepts Luard's 1250 date and in his list of *incipits* and *explicit*s of the letters he records, p. 213, the *explicit* of the Bodley 750 version instead of that of *Laud Misc. 439*. He also fails to note with an obelus, p. 193, that Luard did not make use of the *Laud Misc.* copy.

11 *Laud Misc. 439* is a volume of theological miscellanea of unknown provenance. It also contains Grosseteste's diocesan constitutions and his tract *Quoniam cogitatio*.

12 References are to page and line of the edition of the letter which follows, pp. 156-159.

13 See below, pp. 159.

14 This dating clause is abbreviated in the manuscript in the following way: *Dat apud Doūiam .ii. kal. April'. Pontificat' nri anno tciō*. Since episcopal *acta*, letters, etc. from this period regularly use Roman numerals to express the day in a dating clause, the *ii* has been taken to stand for *secundo* rather than *undecimo*.

15 See below, pp. 150-151.

tributing letter CXXX to bishop Robert Grosseteste. What follows is (I) an examination of the question of the letter's authorship, including (a) a study of the relationship between the two extant manuscripts, (b) arguments against the authorship of Grosseteste, together with an analysis of the two new facts supplied by MS *A*, and (c) arguments in favour of a new ascription for the letter; and (II) a new edition of the text established on the basis of a collation of *Laud Misc.* 439 and *Bodley* 750.

I

(a) It is evident from a recension of MSS *A* and *B* that they are not directly related to each other, that is, *B*, which seems to be a slightly later witness, was not copied from *A* or from a manuscript in the *A* "family". We do not know how far removed these two copies are from the original encyclical letter but it is manifest that both have suffered to some degree in the process of transmission. MS *A*, however, would seem to carry the substance of the bishop's own autograph or apograph although MS *B* provides many readings which are indispensable. Indeed, where the two manuscripts coincide, *B* (forgetting for the moment this copy's five substantial omissions) is right against *A* some seventeen times, whereas *A* is to be preferred to *B* twelve times only. It is perhaps significant that *B* begins well, that is, its early readings are almost always preferable to those of *A*, but towards the end of the letter, any editor is bound to choose *A*'s reading over those of *B*.

In addition to supplying several readings which cannot be set aside, MS *B* would seem to share in a text-tradition which has tended on occasion to favour a slightly more "elegant" word order. *A* appears at times to have deliberately simplified or "trivialized" the word order or in any case to be a witness to a text-tradition which has done so.¹⁶ Such a small point should not be exaggerated: *B*'s curiously "elegant" readings may be the result of deliberate transposition. But it is rather likelier that in this respect *B* represents the more authentic textual tradition: scribes tend to replace uncommon, irregular, or unusual expressions with others that are common, familiar, and readily comprehensible.

Although *B* is more fruitful than *A* in matters of detail, how are *B*'s surprising omissions to be explained? The simplest and most obvious

¹⁶ *A*, for example, has *super uineam domini ipsius sabaoth*, p. 157, lines 9-10 (*B* = *super uineam ipsius sabahot*); *ad ipsas medullas spiritus cruciati*, p. 157, line 12 (*B* = *ad ipsas spiritus medullas cruciati*; *populo Christi cruore redempto*).

answer is that the scribe of *B* copied a manuscript which was deficient. When the exemplar was transcribed for dispatch to the secular and religious clergy of the diocese of Lincoln, it was probably copied *in toto*, with full salutation, valediction, and dating clause, but sent only to abbots, priors,¹⁷ and archdeacons. Then, in accordance with the bishop's own instruction as embodied in the text of his letter (p. 159, lines 81-88), the archdeacons or their officials would "publish" the letter and arrange for further copies to be made for distribution to the lesser clergy, i.e. to all rectors, vicars, and chaplains, who were expected to keep a copy of the letter in their churches. It is also possible that the deans would have been held responsible for circulating transcripts on the parish level. It is not difficult to see how a copy made for a parish priest, a copy which may ultimately have served as *B*'s exemplar, would lose most of its long, cumbersome salutation and also, perhaps, its dating clause. The six lines at the end of the letter (p. 159, lines 87-92) may simply have been written at the top of the verso of a folio only to be accidentally omitted by a scribe who failed to turn the page. Or, perhaps these six lines were originally written on a folio which was subsequently lost or damaged and therefore could not be copied. Or, perhaps the bishop's command that the archdeacons "use all possible diligence to ensure that each and every rector and vicar has a copy of [this] letter in his church" appeared superfluous to a scribe who was doing precisely that. But why the important reference to the bishop's *longa peregrinacio* should be omitted is more difficult to explain. It would seem to be an unintentional scribal omission, perhaps caused by the eye of the scribe jumping from an abbreviated *denique* to *deo* (p. 158, lines 71-73).

(b) Who is the author of letter CXXX? Luard's case for attributing it to Robert Grosseteste is very strong, as we have seen. But if one insists on such an ascription, one must also be able to answer satisfactorily the questions which follow and to demonstrate persuasively that the new facts (i.e. the reference to a long pilgrimage and the mention of a precise date and place) supplied by MS *A* are in no way irreconcilable with what we know of Grosseteste's itinerary and activities.

Who is the "authority, whom it is considered criminal to disobey," and who has called the bishop away from his diocese, thereby preventing him "from fulfilling a beneficial resolution?" The Latin here is

17 The abbots and priors referred to in the letter's salutation were apparently the heads of communities which were rectors of farmed or appropriated churches and therefore very much involved in parochial work.

curiously abstract: *sed interuenit auctoritas cui non parere nephas censetur, que nos ad tempus subtrahit uestre presencie et a concepto salubri proposito nos retardat*. When taken in context, these words would seem to mean that some superior authority (the archbishop of Canterbury? the king? the pope?), whom he may not disobey without sinning, has temporarily (*ad tempus*) called the bishop away from his diocese and prevented him from fulfilling what he terms a "beneficial resolution" (*salubre propositum*), i.e. satisfying his pastoral obligation to strike out personally against the evils which cling so tenaciously to his people because of the neglect, carelessness, and bad example of the Lincoln clergy, both secular and religious. "It would assuredly be my responsibility," he writes, after first expressing his grief and despair at the ubiquity of evil in his diocese, for which he blames the shamefully negligent conduct of his clergy, "to stand up like a man and courageously break and loose, to the best of my ability, the bands of wickedness; *but an authority has intervened whom it is considered criminal to disobey, who is withdrawing me for a while from your presence and preventing me from fulfilling a beneficial resolution*. In the meanwhile, however, although I am absent in body, I am nevertheless present in spirit and say with the pen what I am not permitted to say aloud. In fact, I advise you to take care to receive this letter of mine with reverence and humility, as if it were the word of the Lord Himself." The next part of the letter is a long, elaborate warning to his clergy to "redeem the time that has been lost" and to undertake with renewed enthusiasm and zeal, and under pain of eternal damnation, the awesome responsibilities of the *cura animarum*. He then expresses his sorrow at not being able to be physically present with them and asks for their prayers "to lighten" his "long pilgrimage" and to increase his own "zeal for souls," which is "lukewarm and slight." He concludes with a command that his letter be published and copies distributed to "each and every rector and vicar."

Henry Luard has unconvincingly linked the mention of an "authority" and of a "beneficial resolution" with Matthew Paris's allegation that Grosseteste, *tristis et vacuus*, contemplated resignation (a *salubre propositum*?) upon his return in September, 1250, from a frustrating confrontation with the papal court at Lyons, and has proposed that the "authority" is likely Edmund Rich, archbishop of Canterbury, who was induced by Grosseteste's friends and fellow-bishops to forbid his resignation.¹⁸ Joseph Felten, who accepted without question Luard's October, 1250 date, has suggested that bishop Robert

¹⁸ Luard, *op. cit.*, pp. lxxiii-lxxv.

was ill at this time, although it cannot be said that there is much evidence for such a conjecture, and that the reference here is almost certainly not to a resignation but to the orders of a physician (*auctoritas cui non parere nephas censetur?*) not to undertake for a time his diocesan affairs (*salubre propositum?*) lest he further weaken his health.¹⁹ Francis Stevenson, who also accepted Luard's date, has maintained that Felten's explanation is "probably correct" and that these words refer merely to the fact that the bishop was unable because of illness to be with his clergy at that moment.²⁰

None of these explanations, it must be admitted, rings true, even if we ignore for the moment the March date supplied by MS A. There is not sufficient evidence to suggest that the letter alludes to a resignation, an illness, or the orders of a physician, "whom it is considered criminal to disobey." The "authority" in question here is probably an ecclesiastical one, perhaps the archbishop of Canterbury, as Luard has suggested, or the pope. The *salubre propositum* would appear, in the context of the letter, to be a reference to the bishop's frustrated but obviously salutary intention to "break and loose ... the bands of wickedness," i.e. to contend personally with the sinfulness of his flock and the slothfulness of his clergy.

What is meant by the *longa peregrinacio* which the Lincoln clergy are asked "to lighten by [their] prayers?" The word *peregrinacio* or "pilgrimage" is commonly used throughout the Middle Ages to describe the earthly sojourn of the Christian. In the context of letter CXXX, however, it is almost certain that *peregrinacio* should be understood to mean a journey to a sacred place undertaken as an act of religious devotion, penance, or retribution, or a combination of these. By a "long pilgrimage," a bishop of Lincoln would almost certainly mean a journey to a continental shrine or sanctuary, e.g., to the tombs of the apostles Peter and Paul in Rome.

Where, then, was the bishop going on 31 March, in the third year of his pontificate? What was the object of his *longa peregrinacio*? As mentioned above,²¹ MS B omits the reference to a pilgrimage as well as the all-important dating clause — *Datum apud Doueriam secundo Kalendas Aprilis, pontificatus nostri anno tercio* — and Luard (and, of course, those

¹⁹ Joseph Felten, *Robert Grosseteste, Bischof von Lincoln; ein Beitrag zur Kirchen- und Culturgeschichte des dreizehnten Jahrhunderts* (Freiburg im Breisgau, 1887), p. 57.

²⁰ Francis S. Stevenson, *Robert Grosseteste, Bishop of Lincoln: A Contribution to the Religious, Political and Intellectual History of the Thirteenth Century* (London: Macmillan and Co., 1899), pp. 293-295. See also A. L. Smith, *Church and State in the Middle Ages* (Ford lectures for 1905) (Oxford: Clarendon Press, 1913), pp. 126-8.

²¹ See above, p. 146.

who used his edition of the letter) did not have to deal with the problems to which these new facts give rise. It is known that bishop Grosseteste went abroad twice only,²² in 1244 and 1250, and on both occasions to the papal court at Lyons. Neither of these journeys could be called a *peregrinatio* in the strict sense of the word. The 17 June, 1237 to 16 June, 1238, the third year of his pontificate, was spent in England and almost entirely in his own diocese of Lincoln.²³ On 22 March, 1238 he was, according to the *rotuli*, at Liddington, in Rutland, and on 7 April, 1238 he was at Nettleham, a village north-east of Lincoln.²⁴ He may, during this seventeen-day period, have journeyed to the port of Dover with the intention of embarking on a long pilgrimage, but we have no record either of his departure from England or of his arrival on the continent. In any case, he was at Nettleham on 7 April, as we have seen.

An answer to the questions posed in the paragraph above must therefore be along the following lines: Bishop Grosseteste did in fact journey to Dover but did not set out on his pilgrimage either because he changed his mind or because circumstances beyond his control and unknown to us prevented him from departing. He had just enough time to compose a letter to his clergy before suspending his plans and proceeding to Nettleham in a surprisingly short period of time.²⁵ He was unable, however, to stop the subsequent distribution of a circular letter which was suddenly both pointless and inaccurate.

Such a hypothetical reconstruction, it must be admitted, is extremely implausible and if we can find a bishop of Lincoln of this period whose

²² It is frequently suggested that Grosseteste went to France, to the University of Paris, to study for his mastership in theology, but there is no certain evidence for this. While archdeacon of Leicester, Robert obtained permission from the bishop of Lincoln to go on a pilgrimage (*peregrinatio*) to Rome. He had planned to leave immediately after the feast of the Epiphany, 1232, but his bishop, Hugh of Wells, forbade his departure at the last moment. The previous year had witnessed the outbreak of violent demonstrations against Italian clerics in England and the bishop was fearful that Robert might suffer reprisals at the hands of the Romans. See letters III (pp. 22-23) and IV (p. 28); cf. also Stevenson, *op. cit.*, pp. 90-97. In a letter (CV, pp. 313-314) of December, 1240, to the papal legate, cardinal Otto, Grosseteste asked to be excused from travelling to the Roman court to attend a forthcoming council, "cum tanti itineris pondus non sinat nos portare corporis nostri infirmitas."

²³ Grosseteste's itinerary is printed in his *Rotuli*, ed. F. N. Davis (Lincoln Record Society, 1914), pp. x-xii.

²⁴ *Ibid.*, pp. x, 173-175, 310. The date of the licence issued at Liddington is given by Davis without comment or query as *xj kal. Aprilis pontificatus nostri ANNO SECUNDO* (capitalization mine), an error, clearly, for *ANNO TERCIO*. The editor's itinerary of the bishop, derived for the most part from the *rotuli*, records the correct date (p. x). It should also be here noted that editor Davis maintains that bishop Grosseteste was in Nettleham on 26 March, 1238 (*Rotuli*, Itinerary, p. X). I have searched Davis's edition of the rolls but can find no reference to this date.

²⁵ It is over two hundred miles from Dover to Nettleham. An elderly bishop, almost certainly travelling with a retinue, would have been hard put to cover the distance in seven or eight days.

name begins with *R*, whose *known* movements suit the circumstances under which this encyclical letter was written, and whose conduct as diocesan suggests that he could have composed a letter expressing such extraordinary zeal for the *cura animarum*, we have a candidate with stronger claims to authorship.

(c) Bishop Robert Grosseteste was succeeded by the dean of Lincoln, Henry Lexington, whose short pontificate of four and a half years ended with his death in August, 1258. Lexington's successor was Richard Gravesend, who had become dean of Lincoln in 1254. Elected by unanimous vote on 21 or 23 September, 1258, Gravesend was consecrated at Canterbury on 3 November, a date which marks the beginning of each year of his pontificate in his institution rolls. His early movements are poorly documented. We know, however, that he did not immediately visit his diocese.²⁶ Instead, the affairs of the see of Lincoln were committed to the archdeacon of Oxford and subsequent dean of Lincoln, master Robert Marsh, and the bishop crossed to France *statim post confirmationem suam* to take part in the negotiations at Cambrai on 6 November.²⁷ He was still away from his diocese in April of 1259 but it is possible that he visited it in August of that year.²⁸ He was in Paris, however, with the English court at Christmas, having crossed with the king in November.²⁹ His rolls tell us that on 18 March, 1260 he was at North or South Witham, near Grantham, Lincs., and on 20 December at Northampton.³⁰

In March, 1261, in the third year of his pontificate (3 November, 1260 to 2 November, 1261), he prepared to leave England for the third time. On 25 March he received letters of protection for a year from Easter (24 April).³¹ On 31 March he was at Dover.³² There he formally entrusted the administration of his see to masters Henry of Sandwich and John of Maidstone, explaining that he was going away "because of his own affairs and those of his church."³³ He then left the country for perhaps a

²⁶ See Gravesend's *Rotuli*, ed. F. N. Davis, C. W. Foster, and A. Hamilton Thompson (Oxford: University Press, 1925), p. viii (of introduction) and authorities there cited. The introduction is the work of A. Hamilton Thompson.

²⁷ *Ibid.*

²⁸ *Ibid.*, pp. viii-ix.

²⁹ *Ibid.*, p. viii.

³⁰ See the itinerary established from the rolls and printed on pp. 353-358 of the *Rotuli*. Cf. also pp. 4 and 5 of the rolls.

³¹ *Rotuli*, p. ix.

³² *Ibid.*, pp. ix, 5, 343.

³³ *Ibid.*, p. 5: COMMISSIO MAGISTRORUM H. DE SANDWYC', ET J. DE MAYDENESTON CANONICI LINC', Omnibus Christi fidelibus [etc.] Ricardus [etc.] Notum vobis facimus quod cum *pro nostris et ecclesie nostre negociis* (italics mine) oporteat nos ad tempus abesse, dilectis in Christo filiis Mag. Henrico de San-

year or more.³⁴ We do not know the precise date of his return but he was at Buckden in Huntingdonshire on 3 June, 1262.³⁵

What the "affairs of his church" were, we do not know. A. Hamilton Thompson is almost certain that "the object of his journey was to do obedience to the pope."³⁶ If this is true, Gravesend went to the papal court at Viterbo, a favourite residence of the popes approximately fifty-five miles north-west of Rome. There, as Thompson suggests,³⁷ the bishop may have witnessed the funeral of Alexander IV, who had died on 25 May, and the coronation of Urban IV on 4 September, 1261. That he also made a pilgrimage to Rome during this period can scarcely be doubted. When he explained to his vicegerents that he was going abroad "because of his own affairs," he may have been referring to such a pilgrimage.

It seems a reasonable assumption that while he was in Dover on 31 March, 1261, making final preparations for what might easily be termed a *longa peregrinatio*, bishop Gravesend felt obliged before his departure to send a strongly-worded circular letter to the clergy of his diocese.³⁸ In spite of its rather artificial and studied character, such a letter would serve not only to rouse his clergy to pastoral zeal during his long absence in *partibus transmarinis* and remind them of the awesome responsibilities of the *cura animarum*, but would also assert the bishop's authority as pastor and diocesan and record his personal concern for a flock which had very likely grown impatient of his long absences. What we know of Gravesend's activity as a diocesan bishop suggests that he could indeed have directed such a circular to the clergy of Lincoln. He

swyco archiciacono Oxoniensi et Johanni de Maydenestan canonico Lincoln' utrique eorum in solidum in administratione spiritualium committimus vices nostras, dantes ipsis et eorum alteri liberam potestatem personatus, dignitates et prebendas Lincoln' ecclesie et ecclesias que de nostro patronatu existunt, quotiens eos vel eas vacare contigerit, personis idoneis conferendi et presentatos ad beneficia ecclesiastica prout ratio exegerit admittendi et instituendi, electiones et personas electas per se et per alios examinandi et prout justum fuerit confirmandi et cassandi, ac de personis idoneis viduatis ecclesiis providendi, ordinandos ad ordines vocandi cum cohercione canonice potestatis, et omnia alia faciendi quecunque per dictos commissarios nostros poterunt expediri sive generale mandatum requirant sive speciale, contradictores sibi et rebelles per censuram ecclesiasticam canonice compescendi. In cujus rei [etc.] *Datum Davorie ii kal. Aprilis anno gracie mcc sexagesimo primo et pontificatus nostri tertio.* (italics mine) The entry in the *Calendar of Patent Rolls 1258-66*, p. 144, reads: "The like (i.e. Protection with clause), for one year from Easter, for Richard, bishop of Lincoln, going beyond the seas *on the business of his church.*" (italics mine)

³⁴ *Ibid.*, p. ix.

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ Cf. letter CXII (pp. 329-333) of Robert Grosseteste, a circular composed on a similar occasion (shortly before the bishop left England in 1244) for distribution to the archdeacons of the diocese of Lincoln.

was a competent and diligent pastor, actively involved in the administration of his diocese. It is true that politics forced him on many occasions to go abroad and to cut himself off from his flock for long periods of time. But he spent the last eight years of his life within his diocese and his record as diocesan and pastor is a commendable one.³⁹

It would follow, therefore, that the *R* of the salutation of letter CXXX is meant to stand for *Ricardus* rather than *Robertus* and that the marginal gloss or ascription to *Grosseteste* found in MS *B* is purely gratuitous. The person responsible for that false ascription may have been influenced by one or more of the last three considerations outlined on pages 144 and 145 above. In any case, "a personality so commanding as Grosseteste [became], in the course of time, a magnet for attributions which are found, on closer examination, to be falsely so ascribed."⁴⁰ It would also follow that the "authority whom it is considered criminal to disobey" referred to above⁴¹ is none other than pope Alexander IV (1254-1261), who had instructed Gravesend to come to the curia.⁴²

39 *Rotuli*, pp. xiv-xxiv.

40 Thomson, *Writings*, p. 240.

41 See above, pp. 149.

42 Gravesend's journey to the curia may have been in connection with diocesan problems referred to in a mandate of pope Alexander IV dated 1 March, 1261. This mandate, which the bishop almost certainly did not receive before his departure from England, was apparently part of a larger correspondence between the pope and the bishops of Worcester, Lincoln, Salisbury, Coventry, and Llandaff. Here is W. H. Bliss's calendar of the entry in the register of Alexander IV:

Mandate to the bishops of Worcester, Lincoln, Salisbury, Coventry, and Llandaff, on the reported cupidity of religious in getting churches appropriated to them, to the extinction in such churches of divine worship, the loss of episcopal rights, and the closing of divine worship, the loss of episcopal rights, and the closing of the doors of promotion against poor and proficient clerks; the religious in some cases boasting that they have bought such churches. The pope, having received information from the above bishops about those who spread these reports, has directed them to make particular enquiry, which has resulted in the confession of simony, and to remedy this has ordered that examination should be made into the motive for such appropriations, whether they have been obtained under pretext of poverty, and also what benefices have been annexed to episcopal and secular chapter uses, and whether vicarages with sufficient stipends have been instituted, and how many are served by the monks themselves; plurality also is to be restrained, and the proportion of proceeds of the churches distant four or five miles from the monasteries to which they are appropriated is to be regulated, an eighth or tenth part being set aside for poor parishioners. The above bishops are to apply fitting remedies, and papal letters are sent to the provincial of the Friars Preachers and minister of the Friars Minors, directing them to make enquiry in the several dioceses into the number of churches held by religious, and how they are served, perpetual vicars being appointed, and vicarages increased where necessary, with consent of the bishops. The said delegates are to make report to the pope, who will order what is to be done.

Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland, Vol. I, 1198-1304 (Public Record Office, London: 1893), p. 375.

It must be admitted, however, that although the dating clause and the reference to a long pilgrimage would seem to disqualify Robert Grosseteste as the author of letter CXXX and permit one to speculate about the authorship of Richard Gravesend, there are no significant stylistic reasons which would aid one in determining the correctness of attributing the letter to bishop Gravesend. There is a letter, which is not of much assistance because it can scarcely be called stylistically representative, addressed by Gravesend as dean of Lincoln to the bishop of Lichfield and preserved in the *Burton Annals*,⁴³ but no other extant work with which one might compare this "new" text with a view to supporting the suggested authorship of Richard Gravesend.⁴⁴

We are left, then, with a letter that is almost certainly not the work of bishop Robert Grosseteste. Neither its date nor its circumstances can be reconciled with what we know of Grosseteste's itinerary. On the other hand, these data, as well as the letter *R* of the salutation, are appropriate to Grosseteste's successor but one as bishop of Lincoln, Richard Gravesend. Letter CXXX should probably be ascribed to him.

THE TEXT OF THE LETTER

The edition which follows is established on the basis of a collation of *Oxford, Bodleian Library, MS Laud Misc. 139, f. 253v* (= *A*), and *Oxford, Bodleian Library, MS Bodley 750, ff. 124v-125v* (= *B*). The following editorial practices should be noted:

- (1) All variant readings have been recorded except insignificant orthographical ones.
- (2) The orthography of *A*, the more complete of the two manuscripts, has been preserved. Thus, for example, *senpitemam*, *puplicantes*, *euuangelica*, *sinodis*, and *honus* have been allowed to stand.
- (3) All abbreviations have been silently expanded and in such a way as to conform to the orthography of the writer of the manuscript.
- (4) Punctuation and paragraphing are in accord with modern taste and convenience.
- (5) Luard's transcription of *B* contains some obvious misreadings and unusual expansions. These have been noted (= *L*) in the apparatus. On one occasion, p. 157, line 46, an emendation of Luard has been adopted.

⁴³ *Annales Monasticae*, ed. H. R. Luard (Rolls Series, 1864), i, 320-323.

⁴⁴ His *Rotuli* survive but they are of minimal "stylistic" value.

R. miseratione diuina Lincolniensis episcopus, abbatibus, prioribus, archidiaconis, decanis, ac uniuersis et singulis rectoribus ecclesiarum parochialium, uicariis et capellanis per Lincolniensem dyocesim constitutis, salutem in domino perpetuam et gloriam senpitemnam.

- 5 Cum nos, licet immeriti, simus ex officii debito uerbi dei annunciatores et de uobis ac uniuerso populo rationem reddituri coram iudice eterno *terribili apud reges terre*,^a uehementer contremiscimus in oculis eiusdem seueri iudicis, omnium inspectoris, per prophetam terribiliter intonantis *speculatori* cuilibet super uineam ipsius domini
 10 sabaoth constituto *non annuncianti* malum quod uiderit, *de manu eius sanguinem populi requirendum*.^b Nos itaque *tacti dolore cordis intrinsecus*^c et usque ad ipsas spiritus medullas cruciati, tam multiplicia mala, tam grauia, tam deformia, tam fedas, tam flagiciosa, tam facinorosa, tam scelerata, tam sacrilega, populo Christi cruore redempto uniuersaliter
 15 inesse et inherere, ex neglectu rectorum, ex incuria pastorum, et, quod heu flendum est potius quam scribendum, ex exemplo pessimo et perniciie tabida passim et inpudenter ubique serpente, cernimus euidenter, quod penitus desperatione dissoluimur, et qua parte ordiendum est ad horum remedium penitus ignoramus.
- 20 Esset nobis utique assurgendum uiriliter ad irrumpendum cum uirtute et *dissoluendum*, quatenus id facere possemus, *colligaciones iniquitatum*,^d sed interuenit auctoritas cui non parere nephas censetur, que nos ad tempus subtrahit uestre presencie et a concepto salubri proposito nos retardat. Interim autem licet *absentes corpore, presentes*
 25 *tamen spiritu*^e scripto agimus quod uerbo non licet. Monemus uero ut

1 R. A: Grosseteste (added in left margin by a later hand) B.

1-4 abbatibus ... senpitemnam A: etc. B.

5 ex B: om. A.

6 uniuerso B: uniuersis A.

7 uehementer B: om. A.

9 super B: om. A. — ipsius domini B: domini ipsius A.

11 cordis intrinsecus A: intrinsecus cordis B.

12 spiritus medullas B: medullas spiritus A.

14 scelerata A: celerata B. — Christi cruore B: cruore Christi A.

17 tabida AB; rabida L.

18 desperatione A: ex desperatione B — qua B: quam A.

20 assurgendum A: ad surgendum B. — ad irrumpendum A: adirrumpendum B.

24-25 presentes tamen spiritu scripto B: cum spiritu sepulto A.

^aCf. Ps. 75: 13.

^bCf. Ezech. 3: 17.

^cCf. Gen. 6: 6. A has retained the word order of the Vulgate.

^dCf. Isaias 58: 6.

^eCf. I Cor. 5: 3.

scriptum hoc nostrum tanquam uerbum ipsius domini timorate et humiliter suscipere curetis.

Ecce, karissimi, ecce, die qua non creditis et *hora qua non speratis*,^f uenit deus noster, et uidet eternus dominus qui fundauit terminos orbis terre.

- 30 Ecce, inquam, uenit citans nos omnes et singulos *in uoce archangeli et tuba nouissima*^g ad generale concilium, ad iudicium uniuerse carnis, *uiscitationem factururus in gladio suo, duro* quem nemo sustinere, *grandi* quem nullus effugere, ac *forti*^h cui quisquam resistere minime preualebit. *Labia* uenientis domini et summi pastoris et episcopi uestri *indignacione sunt*
 35 *plena et lingua oris eius quasi ignis deuorans*.ⁱ Cuius si *uix stillam paruam sermonis audierimus, quis poterit tonitruum eius magnitudinis intueri*?^j Quis stabit ad uidendum eum cum reuelabuntur tenebrarum opera, cum discucietur negligencie torpor, cum arguentur illusores qui spon-
 40 derunt in ipsius presencia opus eius facere circa animarum curam quas sub tanta examinatione dileccionis, tam formidolosa condicione, com-
 misit uobis pascendas? In persona principis apostolorum spon-
 derunt omnes rem summi discriminis, stupendi pauoris, se responsuros in presencia iudicis predicti. Sponderunt curare et *mentita est iniquitas*
sibi.^k

- 45 Quid dicturi sunt miseri qui propria commoda sectantes, delectati <sunt> pompaticis honoribus et illecti fedis uoluptatibus, cum misera et detestabilis impiorum nuditas apparebit?^l Personarum et rerum, quarum nunc eis est iocunda presencia, tunc nusquam apparebit, solacium omne effugiet, excusacio quelibet exsufflabitur, et nullum
 50 penitus remedium apparebit.

26 uero A: uos B.

28 die B: dies A.

34 indignacione B: om. A.

36 eius B: om. A.

39 opus eius facere B: agere opus eius A.

41 principis apostolorum B: apostolorum principis A.

42 stupendi AL: stipendi B.

46 sunt om. AB, supplied by L. — fedis uoluptatibus A: fedis honoribus del. uoluptatibus B.

48 quarum B: om. A. — eis est B: est eis A. — nusquam A: nunquam B.

49 effugiet B: fugiet A. — excusacio B: ex cusacio A. — exsufflabitur B: ex sufflabitur A.

^fCf. Luke 12: 40.

^gCf. I Thes. 4: 15; I Cor. 15: 52.

^hCf. Isaias 27: 1.

ⁱCf. Isaias 30: 27.

^jCf. Job 26: 14.

^kCf. Ps. 26: 12.

^lCf. Dies Irae, lines 16-19.

Clamant quidem precones eius; clamamus et nos presente scripto, licet rudi et incomposito, et a multis uestrum forsitan contempnendo, sed *deus* utique *non irridetur*.^m Clamamus ut uel nunc expergiscamini, ut sitis uigiles ad opus assumptum, ut *tempus redimatis*ⁿ amissum, ut
 55 placatum inueniatis ex parte aliqua iudicem iam iamque uenturum. *Nescimus enim quamdiu subsistimus et an post modicum tollat nos factor noster*.^o Obsecramus uos totis affectibus et intimis cordis uisceribus ne uos qui filii dei pro officio reputamini inter filios mundi hora repentine calamitatis inuoluat, ne *ultor iniquitatis gladius*^p contagium tante corrup-
 60 cionis dira conscisione deleat, ne tante pestis infectionem deuoret acriter flamma uorax fulguris coruscantis.

Assurgite, dilectissimi, assurgite et uigilate circa uos et circa gregem ouium uestrarum; pascite eas, sicut tenemini, uerbo uite, pascite exemplo uite et sacramento uite. Ad hoc, karissimi, proculdubio tenemini
 65 sponsione, ut dictum est, super hoc facta sub tremendo dei conspectu. Quam multos uidistis in mediis periculis raptos fuisse? Faciant uos uisa pericula cautos. Reddat uos timor domini sollicitos et discrimen proprium timoratos.

Hec uobis scribere nos compulit honus impositum officii sub quo
 70 gemimus dolentes quod presencia corporali non licet implere quod liberet. Denique obsecramus caritatem uestram ut longam nostram peregrinationem uestris oracionibus alleuietis et inter secreta colloquia uestra cum deo recommendetis nos et gregem nostrum pio redemptori et potenti saluatori omnium animarum. Testamentum nostrum hoc
 75 uobis relinquimus, zelum scilicet animarum, quem zelum, quia tepidus

51 quidem AB: qualiter L.

52 licet B: om. A.

53 deus B: om. A.

55 inueniatis AB: inuenietis L. — enim AB: om. L.

56 et A: uel B. — uos A: om. B.

57 dei B: om. A.

59 gladius B: gladiis A.

60 conscisione A: contagione B.

65 facta A: facto B.

70 quod (before presencia) AB: quia L. — quod (after implere) AB: quae L.

71-73 obsecramus ... deo A: om. B.

75 quem B: om. A.

^mCf. Galat. 6: 7.

ⁿCf. Eph. 5: 16.

^oCf. Job 32: 22.

^pCf. Job 19: 29.

et exilis est in nobis, rogamus ut precibus uestreis augeatis. Sitque communis omnium peticio ut a ueritate euuangelica, ab amore gregis nostri, nullus unquam nos euellat timor humanus aut mundanus, sed cum omni fiducia concedat nobis dominus alacriter *currere in uiam mandatorum eius*.⁹

Vobis autem, filii archidiaconi, et officialibus uestreis firmiter precipiendo mandamus quatinus singuli uestrum has litteras nostras in sinodis uestreis proximo celebrandis et in uestreis capitulis puplicantes, eas ad omnium et singulorum rectorum et uicariarum cuiuscumque
 85 condicionis existant noticiam, ne excusacionem habeant et nos ex taciturnitate accusacionem, faciat apercius peruenire, agentes omni qua fieri poterit diligencia quod quilibet ipsorum saltem in suis ecclesiis transcriptum habeat eorundem.

Valete semper in domino.

90 Datum apud Doueriam secundo Kalendas Aprilis, pontificatus nostri anno tercio.

Massey College, Toronto

76 augeatis B: augeatur A.

77 omnium A: om. B. — a ueritate A: aueritate B.

78 aut mundanus A: om. B.

79 in uiam A: inuiam B.

81 officialibus A: offic B: officiariis L.

82 nostras A: om. B.

83 in A: om. B.

84 eas B: om. A.

86-91 agentes ... tercio A: om. B.

86 qua ed.: quam A.

⁹Cf. Ps. 118: 32.

THE BRITISH MUSEUM MS. ARUNDEL 43
MONOCHORD FRAGMENTS

Denis Brearley and Thomas Wray:

A musical interpolation on the tuning of the monchord of no less than three separately identifiable fragments has been inserted in folios 66^v28-67^r25 of British Museum *Arundel* 43. The rest of this manuscript contains grammatical works by Sedulius Scottus (fl. 840-858) and has been edited in part elsewhere.¹ Palaeographically, the manuscript belongs to the early part of the thirteenth century.

The text of Sedulius Scottus is continuous if we omit the musical interpolation; the central fragment of the interpolation is readily recognizable as an independent recension of a passage from the *Micrologus* of Guido of Arezzo (c. 1030).² It is evident therefore that the interpolation could not be the work of Sedulius Scottus. The authorship of the non-Guidonian fragments is still unknown.

It is our intention to present a critical edition of the three fragments³ along with a translation, working diagrams (except for Fragment 2 where the text is sufficiently explicit), and annotations, to show the workability of the system expounded, not only for the mediaevalist, but for the modern reader who has little knowledge of the musical systems involved.

Fragment 1 gives instructions for the Boethian tuning of the

¹ Folios 12^r-67^v have been edited by Denis Brearley, *Commentum Sedulii Scotti in Maiorem Donatum Grammaticum*, Toronto: Studies and Texts of the Pontifical Institute of Mediaeval Studies, 1974. The remaining folios are being edited by Professor Bengt Löfstedt, University of California at Los Angeles.

² Professor G. W. J. Drake, Faculty of Music, University of Toronto, originally pointed out this fact.

³ A preliminary transcription of the fragments has appeared in Denis Brearley, *Sedulius Scottus' Commentary on Donatus*, Ph. D. Thesis (Toronto, 1967), Appendix B, 385-8.

monochord;⁴ Fragment 2 gives instructions for the Guidonian tuning; while Fragment 3 is a brief jotting down of the steps in an alternative procedure to give the Boethian tuning.⁵ This alternative procedure is discussed adequately in the *Mensura Monochordi Boetii: Ex Codice Benedicturano*⁶ of unknown origin and referred to in this work as Fragment 4; we treat Fragment 4 as the basic text and 3 as a mere summary of the material discussed in 4. A few minor inconsistencies in Gerbert's text of 4 are noted below.

The scales of the Boethian tuning are the ancient Greek Greater Perfect and Lesser Perfect Systems (GPS, LPS). The GPS extends for two octaves with the structure T.STT.STT.T.STT.STT⁷ in the direction of increasing pitch, in the standard case where all the tetrachords are diatonic (i.e. STT).⁸ The lowest note of the GPS is given the name *proslambanomenos*, and its octave, the central note of the scale, is the *mese*. The LPS extends an octave and a fourth above the *proslambanomenos*, its structure (in the standard case) being T.STT.STT.STT.

We can represent the GPS as a sequence of white notes on the present day keyboard by taking the *proslambanomenos* to be an A. The GPS is then the scale A B C D E F G A B C D E F G A and the corresponding LPS is A B C D E F G A B \flat C D. For instance the scale of the *Dialogus*⁹ contains a GPS and its corresponding LPS labelled in just this way, with

4 An incomplete and corrupt recension of Fragment 1 occurs in Monte Cassino, Biblioteca Abbatiale 316, folios 216-7, and has been edited by Jos. Smits van Waesberghe in his *De Musico-Paedagogico et Theoretico Guidone Aretino* [hereafter cited as *Smits van Waesberghe*] (Florence, 1953), 183-4. The catalogue entry of Pieter Fischer, *The Theory of Music from the Carolingian Era up to 1400: Volume II Italy* (Munich, c. 1968), 68, and that of *Smits van Waesberghe*, 176, indicate that this material is followed immediately by a description of the Guidonian tuning. This pattern is repeated by our Fragments 1 and 2.

5 The procedures described in our 3 fragments fall within Jos. Smits van Waesberghe's classification scheme as 1 = 71^a (*Smits van Waesberghe*, 183), 2 = 39^a and 43^a (*ibid.* 172, 174), 3 = 22^a (*ibid.* 166).

6 Clm 4622, folio 178^v, edited in M. Gerbert, *Scriptores Ecclesiastici de Musica* [hereafter cited as *Gerbert*] (Hildesheim, 1963 [1784]), vol. I 344-5, reprinted in Hugo Riemann, *Studien zur Geschichte der Notenschrift* (Leipzig, 1878), 304-5. See *Smits van Waesberghe*, 166.

7 T = tone; S = semitone; periods mark the constituent tetrachords.

8 For more detail see: Boethius, *De Institutione Musica*, ed. G. Friedlein (Leipzig, 1867), 205-219; *Grove's Dictionary of Music and Musicians*, 5th ed. edited by Eric Blom (New York, 1970 [1961]) [hereafter cited as *Grove*], vol. III 773-6; *The New Oxford History of Music*, vol. I, *Ancient and Oriental Music*, ed. Egon Wellesz (London, 1957), 344-8; H. Helmholtz, *On the Sensations of Tone*, 2nd Eng. ed., tr. and ed. by A. J. Ellis (New York, 1954 [1885]) [hereafter cited as *Helmholtz*], 262-70; Willi Apel, *Harvard Dictionary of Music*, 2nd ed. (Cambridge, Mass., 1969) [hereafter cited as *Apel*], 352-3. We note a misprint in the diagram of the GPS in earlier impressions of *Apel* 352, where the brace representing the *tetrachordon meson* is placed one line too far up the page.

9 We do not wish to enter here into the controversy surrounding the authorship of the *Dialogus* (*Quid est musica?* ..., *Gerbert* I 252-64, *PL* 133, 759-74) or the *Musica* (*Musicae artis disciplina* ..., *Ger-*

A as the proslambanomenos.¹⁰ (We ignore for the present the author's use of majuscules and minuscules to differentiate between the octaves, and the fact that he adds another note a tone below the proslambanomenos.) If, however, we take F as the proslambanomenos, the GPS and LPS become F G A \flat B \flat C D \flat E \flat F G A \flat B \flat C D \flat E \flat F and F G A \flat B \flat C D \flat E \flat F G \flat A \flat B \flat C.

Fragments 1, 3, and 4 use the letters F G A B C D E F G A B C D E F for the GPS. This is notation 4 of *Apel* 467. This system, which has semitones GA and CD, may be reconciled with modern notation in one of two ways. The first possibility is to replace each letter by its equivalent from the *Dialogus* by moving two places along the cyclic alphabet in which A follows G. *Apel*, for instance, gives this equation between notations 4 and 5 of *Apel* 467.¹¹ The second possibility is to preserve F as the name of the proslambanomenos and to insert flats on B E A D, as in the last sentence of the preceding paragraph. We follow this second alternative in the annotated translations of 1, 3, and 4. Fragment 4, the only one discussing the LPS, names the G \flat of the LPS after the distinctive *synemmenon* tetrachord of the LPS thus: *G synemmenon*.¹² Fragments 1 and 3 do not distinguish the letters of the two octaves, but 4 uses a convention similar to that of the *Dialogus*, the lower octave being represented by majuscules and the upper octave either by minuscules or by minuscules above majuscules,¹³ with the exceptions of the letter F (always majuscule; the three notes F are distinguished as *F*, *F mese*, and *F duo in acutissimum*; we suspect that these glosses may be due to a scribe whose minuscule F resembled his majuscule) and the *G synemmenon*. For 4 we regularize the upper octave to minuscule, with doubling for the highest note, in our annotated translation. For 1 and 3 we use majuscules in the translation.

bert I 265-84, *PL* 133, 773-96), both works often attributed to Odo of Cluny (879-942). See: M. Huglo, "L'auteur du 'Dialogue sur la Musique' attribué à Odon," *Revue de Musicologie* LV (1969), 119-171; Dom Pierre Thomas, "Saint Odon de Cluny et Son Œuvre Musicale," in *A Cluny: Congrès Scientifique ... Travaux du Congrès ...* (Dijon, 1950), 171-180; Hans Oesch, *Guido von Arezzo* [hereafter cited as *Oesch*] (Berne, 1954), 33, 47-53, 107, et passim. We are indebted to Professor Yves Chartier of the Department of Music, University of Ottawa, for making us aware of this controversy and for offering other useful suggestions to improve this paper.

10 For details see (attrib.) Odo of Cluny, *Dialogus*, in *Gerbert* I 253 and *PL* 133, 761; *Apel* 467; *Grove* VI 112, 175. Willi Apel, *The Notation of Polyphonic Music 900-1600*, 2nd ed. (Cambridge, Mass., 1944), 21-2; *Oesch*, 80-2.

11 See also the other modern references of n. 10.

12 *Apel*, 828, uses 4 as his authority for the entry *synemmenon* and allows a misprint in his citation of the source which is not CS (Coussemaker) but GS (Gerbert).

13 This distinction of the octaves is missing from Riemann's reprint (n. 6).

The Guidonian tuning of Fragment 2 corresponds to the larger scale of the *Musica*,¹⁴ which consists of the scale of the *Dialogus* extended upwards by a fourth. This scale is adequately described in the literature.¹⁵ We find it convenient to write the doubled letters horizontally rather than vertically. We remind the reader that it is Guido's practice to use **b** as the minuscule form of B, with **b** (the modern B♭, or German B) as the interpolated note,¹⁶ in agreement with the *Dialogus* and the *Musica*.

The intonation in both the Boethian and Guidonian tunings is Pythagorean,¹⁷ the tones having the frequency ratio 8:9 and the semitones 243:256. Major intervals are consequently slightly wider and minor intervals slightly narrower than those of the modern equal temperament and, with the exception of the major second and minor seventh, considerably¹⁸ wider and narrower respectively than those of just intonation.

*
* * *

A few remarks on the principles of edition for the Latin text. We have adopted the manuscript spelling, which employs, on the whole, classical orthography with a few mediaeval variations such as *c* for *t*, *e* for *ae* and omission or addition of *h*. Few of these will give the reader any problem. The question of capitalization of the musical letters has been resolved in the following way. For Fragment 1 we have adopted the manuscript system which uses minuscule letters for all the notes except B(b) and G, which are majuscule. This is probably a mere peculiarity of the scribe. For Fragment 2 we have followed the standard system as exemplified in J. Smits van Waesberghe's edition of the

¹⁴ See n. 9.

¹⁵ See (attrib.) Odo of Cluny, *Musica*, in *Gerbert I* 273-4 and *PL* 133, 782-3; Sir John Hawkins, *A General History of the Science and Practice of Music* (New York, 1963 [1854]) vol. I 156n., 160, 165; *Oesch* 82-3, 102-3; and the references of n. 10 above.

¹⁶ See n. 10; also *Helmholtz* 312-3n, *Grove I* 25, and *Apel* 5 for the later use and evolution of these symbols.

¹⁷ This assumes that the string is *ideal*, in the mathematical sense. For the assumptions which define an ideal string and for the departures of a real string from the ideal see: C. A. Taylor, *The Physics of Musical Sounds* (London, 1965), 18-9; C. A. Coulson, *Waves*, 7th ed. (Edinburgh, 1955), ch. 2; H. F. Olson, *Music, Physics and Engineering*, 2nd ed. (New York, 1967), 74; J. J. Josephs, *The Physics of Musical Sound* (Princeton, 1967), 90-1; P. M. Morse, *Vibration and Sound* (New York, 1948), chs. 3-4.

¹⁸ The difference is a comma of Didymus in both cases. This comma, whose frequency ratio is 80:81, should not be confused with the slightly larger comma of Pythagoras (524288:531441). See *Helmholtz* 276, 453; *Apel* 188; *Grove IV* 523.

Micrologus of Guido of Arezzo,¹⁹ except that, as in our annotated English translation, we prefer to write the doubled letters on the same line. These doubled letters represent the special symbols of the manuscript, only some of which resemble doubled minuscules, while the others resemble ornate majuscules. For Fragment 3 in the Latin text, we have adopted the manuscript system, which, with two exceptions, gives a note on its first appearance as a majuscule and on subsequent appearances as a minuscule. To conclude, the readings of the manuscript appear as usual in the *apparatus criticus*.

Fragments 1, 2, and 3 follow one after another on folios 66^v28-39, 66^v40-67^r23, and 67^r23-26 respectively. For convenience and comparison, Fragment 4, the reprint from *Gerbert*, is printed here parallel to Fragment 3. The annotated translations follow the Latin texts.

FRAGMENT 1

Si monocordum mensurare desideras, quamcumquevis lineam in quatuor eque partire. Tunc quartam partem quam habes dextram cum .f. lineam distingue, et ab .f. in octo partire et hanc octavam adiunge .f. post tergum et scribens .e. *tonum* habebis. Quo facto ab ipso .e. divide
 5 in octo et ipso .e. istam octavam postpone, ibique .d. posito alterum tonum habes. Modo circinum ad .f. pone et inde in tria mensurabis et hanc quoque terciam ipso .f. adiunge, ibique .c. ponens semitonium habes et diatesseron adinples constans ex duobus tonis semitonioque. Rursum circinum ad .c. aptabis et in octo partire, et octavam eidem .c.
 10 apponens .B.. A .b. quoque similiter et fac .a.. Nunc vero a .c. metire in tria et a .c. circinum vertens fac .G.. A .G. vero in octo divides et aliud .f. facias. Modo ab .f. duplicato spacio .f. aliud ponito. Postea cetera tandem mensuram accipiant quam priora tenuerunt. Ita ut .e. sit octavum .f., .d. octavum .e., .c. tercium .f., .B. octavum .c., vel tercium .e. vel
 15 medium .f., .a. octavum .B. vel tercium .d. vel medium .e., .G. tercium .c., .f. vel duplum alterius .f. vel medium .c. vel tercium .B. vel octavum .G. et erit perfectum.

¹⁹ *Corpus Scriptorum de Musica*, IV (Rome, 1955).

⁴ *tonum*: totum

¹⁰ a.c.: ac

TRANSLATION OF FRAGMENT 1²⁰

If you wish to tune a monochord, divide any string into four equal parts. Then denote the fourth part which you have on the right of the string with an F²¹ and from F divide into eight parts, adjoining one of these eighth parts on the other side of F, call it E♭ and you will have a tone. When you have done this divide from this E♭ into eight parts, place one of your eighth parts beyond this E♭, and there once you have marked a D♭ you will have another tone. Now apply the compasses to F, then divide into three parts, join also this third part to the F, and marking a C there you have a semitone, and you complete a fourth²² consisting of two tones and a semitone. Reapply the compasses to C, divide into eight parts, place an eighth part alongside this C — giving B♭. From B♭ do the same thing to get A♭. Now measure accurately up to C into three parts and from C turn the compasses to produce G. From G divide accurately into eight parts and make another F.

By this means you mark another F at twice the distance of the first F. You finish off by letting the other notes keep the proportions determined above. Thus let E be an eighth part more than F; let D♭ be an eighth part more than E; let C be a third part more than F; let B♭ be an eighth part more than C, a third part more than E♭ or half more than F; let A♭ be an eighth part more than B♭, a third part more than D♭, or a half more than E♭; let G be a third part more than C; let F be twice the other F, a half more than C, a third part more than B♭, or an eighth part more than G, and it is done.

²⁰ See n. 4.

²¹ See Figure 1 for this and subsequent steps.

²² It is unclear whether the author or scribe is defining a fourth for his readers as consisting of two tones and a semitone, or is merely alluding to this fact, or is taking note of the fact that he has just completed construction of the first tetrachord (*tetrachordon hyperbolaeon*) of the GPS. We note that he does not similarly allude to the completion of the three other tetrachords.

FRAGMENT 2

Sigla

The numbers between solidi are page numbers of Guido of Arezzo, *Micrologus*, ed. J. Smits van Waesberghe. The double solidus indicates a change of folio in B.M. *Arundel* 13.

- /93/ Notae in monocordo *hae* sunt: In primis .T. grecum a moder-
nis adiunctum. Sequuntur VII alfabeti litterae graves ideoque maioribus
litteris insignitae: .A.B.C.D.E.F.G.. /94/ Post has *eaedem* VII litterae
acutae repetuntur, sed minoribus litteris describuntur, in quibus tamen
5 inter .a. et .b. aliam .b. ponimus quam rotundam facimus, alteram
vero quadravimus, ita .a.b.**b**.c.d.e.f.g.. Addimus hisdem litteris, sed
variis figuris tetracordum superacutarum, in quo .b.**b**. similiter (f.
67r) duplicavimus, ita .aa.bb.**bb**.cc.dd.. *Hae* autem a multis superflue di-
cuntur; nos vero maluimus superhabundare quam deficeremus. Fiunt
10 /95/ itaque omnes simul XXI, hoc modo <.Γ.> .A.B.C.D.E.F.G.
.a.b.**b**.c.d.e.f.g.aa.bb.**bb**cc.dd.. Quarum dispositio a doctoribus aut tacita
aut nimia obscuritate perplexa, adest etiam pueris breviter ac
planissime explanata. /96/ Gamma itaque inprimis affixa ab ea usque
in finem subiecte corde spacium per VIII partire et in termino prime
15 none partis .A. litteram pone, in qua omnes antiqui fecere principium.
Item ab .A. ad finem /97/ nona collecta parte eodem modo .B. litteram
iunge. Post hec ad gammam revertens ad finem usque metire per IIII, et
in prime partis termino invenies .C.. Eadem divisione per IIII, sicut cum
.Γ. inventum est .C., simili modo per ordinem cum .A. invenies .D., cum
20 .B. invenies .E., et cum .C. habebis .F., et cum .D. repereris .G. et cum
.E.a., et cum .F.b. rotundum. Que vero secuntur, similium et earundem
medietate omnes facile per /98/ ordinem colliguntur, ut puta a .B. ad
finem in medio spacio pone aliam .b.. Et similiter .C. signabit aliam .c.,
et .D. signabit aliam .d., .E. signabit aliam .e., et .F. signabit aliam .f., et
25 .G. aliam .g.. Posses in infinitum ita progredi sursum vel deorsum, nisi

1 *hae*: heę

3 *eaedem*: eędem

c.d.

8-9 aa.bb.**bb**cc.dd.: A.B.c.d. litteris inusitatis adscriptis

c.d.

11 aa.bb.**bb**cc.dd.: A.B.C.c.d. litteris inusitatis adscriptis

17 .B.: .B. lectio incerta

21 .b.: .B. lectio incerta

23 .b. .b.

artis preceptum sua te auctoritate compesceret. / 99:15 / Alius vero
 dividendi modus sequitur hoc modo: Cum primum a .Γ. ad finem VIII
 passus id est particulas facis, primus passus terminabit in .A., secun-
 dus vacat, tercius in .D., quartus vacat, quintus in .a., sextus in .d.,
 30 septimus in .aa., reliqui vacant. / 100 / Item <cum> ab .A. ad finem
 novies partiris, primus passus terminabit in .B., secundus vacat, ter-
 cius in .E., quartus vacat, quintus in .**h**., sextus in .e., septimus in .**bb**.,
 reliqui vacant. Item cum a.T. ad finem quaternis dividis primus
 passus terminabit in .C., secundus in .G., tercius in .g., quartus finit.
 35 A.C. vero similiter ad finem quatuor passus erunt, primus terminabit
 in .F., secundus in .b. rotundum, secundus in .f. / 101 / Et de
 disposicionibus vocum hi duo regularum modi sufficiunt, / 102 /
 quorum superior quidem modus ad memorandum facillimus, sic
 vero exstat, ad faciendum celerrimus.

TRANSLATION OF FRAGMENT 2

The notes of the monochord are as follows: First the Greek letter Γ is added by the moderns. Seven letters of the alphabet follow, representing the bass²³ notes and therefore denoted by capital letters: A B C D E F G. Following these the same seven letters are repeated for the alto²³ notes, but are written in small letters, in which, however, we insert between a and **b** another b, made round, while we make the first square, thus: a b **b** c d e f g. We add the tetrachord in the treble²³ to these, with the same letters but made in a different style, in which we have duplicated b and **b**, thus: aa bb **bb** cc dd. Many call these superfluous; we prefer to be overabundant than to be deficient. All these twenty-one letters are placed together in this way: <T> A B C D E F G a b **b** c d e f g aa bb **bb** cc dd. The educated either gloss over the arrangement of these notes or else hide it under obscurities, but we present it with childlike simplicity and brevity. Once T has been placed, divide the portion of the string contained between it and the end into nine parts, and mark with an A the end of the first of the nine parts — which is where everybody formerly began.²⁴ Then imagine nine divisions from A to the end and in

30 .aa.: A. *maiusculo inusitato adscripto*

32 .E.: e.

31 **h**.: b.

33 **bb**.: B. *maiusculo inusitato adscripto*

²³ We note that the *graves* octave, the *acutae* octave and the *superacutae* tetrachord occupy the middle ranges of the present day bass, alto, and treble staves, whence our rendering.

²⁴ The Guidonian scale contains both a GPS and an LPS. (See page 163). Their proslambanomenos is the note A, a tone above the lowest note Γ.

the same way insert the letter B. After this go back to T and divide to the end in four, and at the end of the first part you will find C. By a division into four, similar to the way C is found from T, you find in turn D from A, B from E, and you have F from C, you find G from D, a from E and (round) b from F. All the notes which follow are readily regarded one after the other as halves of the corresponding notes, as for example mark the other **b** halfway between B and the end. Similarly C gives the other c, D gives the other d, E gives the other e, F gives the other f and G the other g. You could continue indefinitely upwards or downwards until you are compelled to stop from practical considerations. A second method of division is as follows: when you have obtained nine steps or portions between T and the end of the string, the first step will end in A, the second in nothing, the third in D, and the fourth in nothing, the fifth in a, the sixth in d, the seventh in aa, and the rest in nothing. Similarly when you have divided the string from A to the end in nine, the first step will end in B, the second in nothing, the third in E, the fourth in nothing, the fifth in **b**, the sixth in e, the seventh in **bb**, the rest in nothing. And again when you have divided the string from T to the end in four, the first step will end in C, the second in G, the third in g, and the fourth at the end of the string. Likewise there will be four steps between C and the end, and the first will end in F, the second in c,²⁵ the fourth at the end. Of the four steps from F, the first will end in (round) b, the second in f.²⁶ These two sets of rules are enough for the positioning of the sounds. The first set is the easier to remember; the second is the quicker in practice.

²⁵ See Guido of Arezzo, *Micrologus*, ed. J. Smits van Waesberghe, p. 100 l. 6 for the missing material: tr. — "the third in cc."

²⁶ See Guido of Arezzo, p. 101 heading *Sequitur* (l. 9) for the missing material: tr. — "Of the four parts from b, you will find bb in the second, the rest being empty. Of the four steps from the treble aa you will find dd in the first, the rest being empty."

Only by supplying these texts (notes 25 and 26) are all twenty-one notes accounted for.

FRAGMENTS 3 AND 4

(3: *Arundel* 43)

Divide in quatuor a puncto usque .F. et aliud .F., .B. et .f.. Item a puncto usque .f. in tria et fac .C.. Rursum a puncto usque secundum .f. in quatuor et fac .B.. Item a .B. in quatuor et fac .E.. Item ab .e. in duo et sit .A.. Item ab .a. in quatuor et sit .D.. Item a .c. in tria et fac .G..

(4: *Gerbert* I 344-5)

Totum monochordum partire inprimis in quatuor, in initio monchordi pone F. & in primo passu fac B. in secundo F. mese, in tertio F. quartus finit. Tunc a fine fac tres passus in ultimum F. duo in acutissimum, & in quarto passu habes c. superius. Item a fine fac duos passus in eamdem F. & in tertio habes b. superius. Tunc ab eadem b. fac ad finem quatuor passus, quorum primus finit in superius e. item a fine fac duos passus in eadem e. & retro in tertio habes a. superius. Tunc ab eodem a. fac ad finem quatuor
d
passus, quorum primus terminabitur in D.

c
superius. A fine fac tres passus in C. superius,
g
& retro in quarto habes G. superius. A fine fac
d
duos passus in D. superius, & retro tertium G. synemmenon. Postea duplica spatium uniuscuiusque litterae in suum aequivocum, id est, fac unum passum a fine, id est, ab acumine in unamquamque litterarum superiorum, secundum passum in suum cognominem gravem.

TRANSLATION OF FRAGMENTS 3 AND 4

(3: *Arundel* 43)²⁷

Divide from the end up to F in four and obtain the other F, B♭, and F.³⁰ Then from the end up to F in three to make C.³¹ Again from the end to the second F in four to make B♭.³² Then from B♭ in four to make E♭; then from E♭ in two and let it be A♭; then from A♭ in four and let it be D♭; then from C in three to make G.³⁴

(4: *Gerbert* I 344-5)²⁸

First divide the whole monochord into four parts: mark F at the beginning, B♭ at the first dividing point, *F mese* <f>²⁹ at the second division, F at the third; the fourth is the end.³⁰ Then take three steps from the end to the last F, the very high *F duo* <ff>, and you have higher c on the fourth step. Then take two steps from the end to the same F <ff> and at the third step you have higher b♭.³² Then take four steps from the same b♭ to the end, of which the first ends in the higher e♭; then take two steps to the same e♭ from the end and, continuing backwards for a third step, you have higher a♭. Then take four steps from the same a♭ to the end, of which the first ends in the higher d♭.³³ Take three steps from the end to the higher c and, continuing backwards a fourth step, you have higher g. Take two steps from the end to the higher d♭ and, continuing backwards, *G synemmenon* <g♭> is at the third

27 Fragment 3 is written in outline note form to describe the successive steps. This procedure is recognized here.

28 See n. 6.

29 See p. ♦♦, par. o.

30 See Figure 2 for this and the subsequent steps. Capitalization of note names in this figure follows the convention used in the translation of Fragment 4.

31 There is an ambiguity here as *F* could stand for either ff or f. We prefer the reading ff, which agrees with Fragment 4, and which is slightly more likely to be correct since the *F* is not qualified, whereas in the following step the *F*, which is evidently f, is qualified as *secundum f.*. The less probable reading is distinguished by parentheses in Figure 2.

32 We note a discrepancy between Fragments 3 and 4 for this step. See Figure 2.

33 In *Gerbert* the notation for notes of the upper octave changes from minuscule to majuscule with a suprascript minuscule for no apparent reason; indeed his c in the next sentence is evidently to be equated with c which is the only C defined previously.

34 It is unclear whether the passage was left incomplete because the scribe forgot about the lower octave, or whether, since the passage is an obvious intrusion in the text of Sedulius Scottus, he was obliged to relinquish his discussion of the monochord. In particular, it is an open question whether the sentence of 4 defining the g♭ of the synemmenon tetrachord would have been added or whether the scribe have been content to merely construct the GPS.

step. Then double the length for each note³⁵ to get its synonym, i.e. take one step from the end (i.e. from the end of the string), to each of the higher letters, and the second step is its lower synonym.

Ottawa.

³⁵ With the obvious exceptions of *b \flat* and *g \flat* (*G synemmenon*). We have already constructed the lower *B \flat* in the first step. We do not need lower *G* since the synemmenon tetrachord of the LPS is not repeated in the lower octave. See p. $\diamond\diamond$, pars. *o* and *o*.

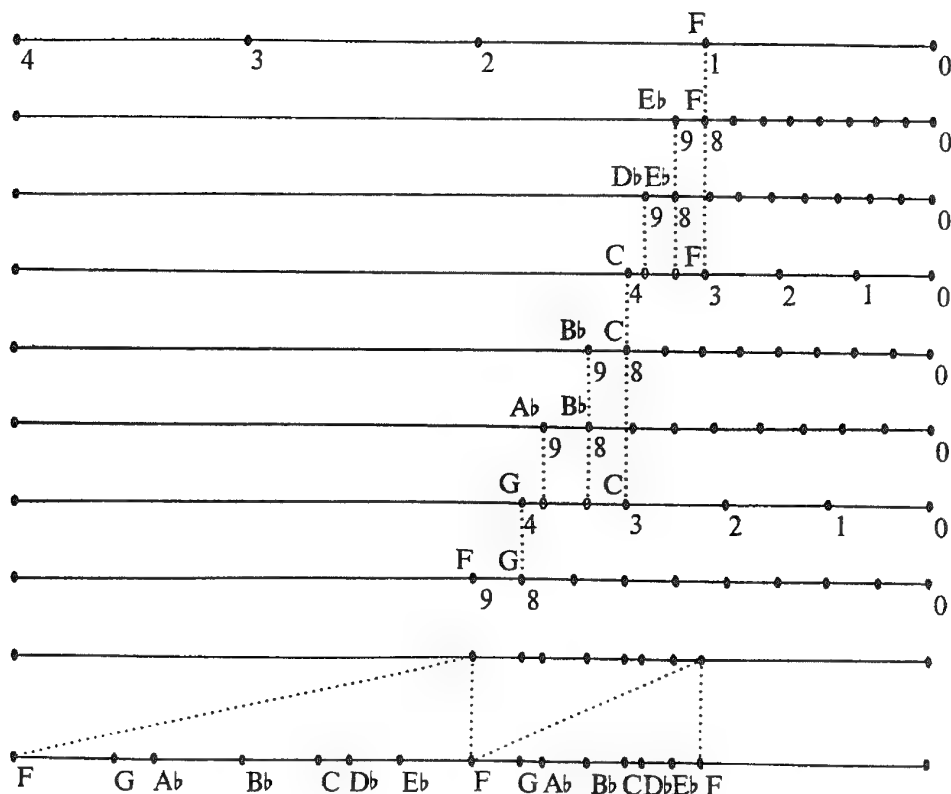


FIG. 1. — The various steps described in Fragment 1. Solid dots indicate the steps described in the text; hollow dots show the internal structure of the *hyperbolaeon* and *diezeugmenon* tetrachords. Only the *hyperbolaeon* tetrachord is specifically noted in our text (see n. 22).

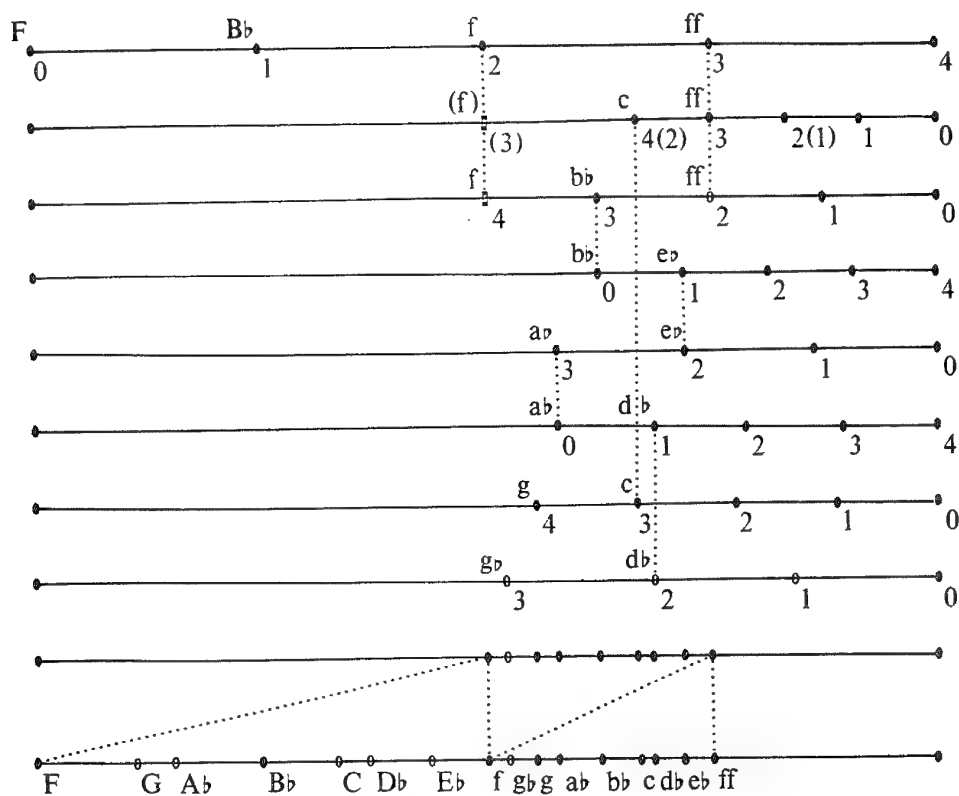


FIG. 2. — The various steps described in Fragments 3 and 4. Solid dots indicate steps common to both 3 and 4; hollow dots indicate steps peculiar to Fragment 4; hollow rectangular dots indicate steps peculiar to Fragment 3. The ambiguity in 3 at the second step is resolved by placing the less probable interpretation in parentheses. The capitalization follows the scheme which we have been using in the translation and notes to 4.

LONDON AND THE STATUTE OF MORTMAIN:
DOUBTS AND ANXIETIES
AMONG FIFTEENTH-CENTURY LONDON TESTATORS

J. M. Jennings

We have provided, established and ordained, that no person, religious or other, whatsoever he be, presume to buy or sell, or under the color of gift or lease, or by reason of any other title, whatsoever it be, to receive of any man, or by any other craft or device to appropriate to himself any lands or tenements under pain of forfeiture of the same, whereby such lands or tenements may any wise come into mortmain.¹

THE statute of mortmain of 1279 is an example of royal efforts in England to prevent the alienations of land in mortmain which sometimes posed a severe threat to the feudal lord and his rights.² If, however, the statute provided a protection for some of the prerogatives of the lord, it also served to limit the landholder's freedom of disposal, taking away some of the options that would ordinarily be his. The immediate object of the statute was to protect the lord by preventing alienations to religious corporations and thus it was this option that was now closed to the landholder. Because of this second aspect of the statute, the citizens of London were reluctant to allow its complete application in the city, asserting that the law ran counter to their customary rights. Thus, in the statute of mortmain and the controversy to which it gave rise in London we have an example of the way in which royal law sometimes clashed with local custom in England. In addition, the confusion that the clash engendered among certain testators of London provides us with a number of examples of how the uncertainty of application caused anxiety in the minds of the citizens even as late as the fifteenth century.

1 G. B. Adams and H. M. Stephens, eds. *Select Documents of English Constitutional History* (New York, 1947) p. 71. Cf. W. Stubbs, *Select Charters* (Oxford, 1921) p. 451-2.

2 A. W. B. Simpson. *An Introduction to the History of the Land Law* (Oxford, 1961) p. 50. T. F. T. Plucknett. *Legislation of Edward I* (Oxford, 1949) p. 94-102 presents a convenient summary of the aim and impact of the statute.

An article by H. M. Chew has discussed the controversy that London experienced as a result of the statute,³ and the author has noted that the citizens appear to have accepted the 1279 enactment as far as alienations *inter vivos* were concerned.⁴ In all probability, London's acceptance of the statute in this regard resulted from the citizens' conviction that the large land-holdings of the Church removed numerous investment opportunities from the market. On the other hand, there was much more reluctance to accept the statute with regard to devises in mortmain, for concern for their own souls and those of their families dictated that they make certain bequests in favour of the Church. Thus, it was the question of the bequests in mortmain that was the center of London's opposition to Edward I's statute.

During the 50 years immediately following the enactment of the statute, efforts were made, notably under Edward II, to enforce the ban in London. The citizens, for their part, fought to preserve what they held was their legitimate custom. When Edward II was overthrown in 1327, one of the first things that the citizens of London sought from his successor, Edward III, was a confirmation of what they claimed was their customary right to devise in mortmain. In the same year, Edward granted a charter confirming that right, acknowledging that it was ancient custom.⁵ According to Chew, this charter of 1327 settled the principle of London's freedom to make such devises and future problems arose more from the abuses of the right than from the right itself. The reason for this was that some non-citizens were using various means to benefit from London's privilege themselves.⁶ This problem was to continue until 1434 when London's Common Council took over responsibility for seeing to it that all bequests in mortmain were free of fraud and actually subject to the custom of London. Only after the legality of the bequests had been confirmed were they enrolled in the Hustings.⁷

The wills of the early Fifteenth century which were enrolled in the Hustings contain many such devises, and indeed a survey of the wills

3 H. M. Chew. "Mortmain in Medieval London" *English Historical Review* 60 (1945) p. 1-15.

4 *Ibid.* p. 3.

5 *Liber Albus* (H. T. Riley, ed.) (London, 1861) p. 145. Walter de Gray Birch, ed. *The Historical Charters and Constitutional Documents of the City of London* (London, 1887) p. 53-4.

6 H. M. Chew. *op. cit.* p. 6. An inquisition of 22 January 1410 before the mayor, Richard Merlawe is an example of how the charter of 1327 was used to protect London's right to bequeath in mortmain. According to this investigation a certain holding on St. Michael's Church, Wood Street is rightfully held because Edward III in 1327 had granted London citizens the right to bequeath their lands to anyone they wished. *Calendar of Inquisitions Miscellaneous* (Chancery) 7 (London, 1969) # 404.

7 Corporation of London. *Calendar of Letter-Books Preserved Among the Archives of the Corporation of the City of London at the Guildhall* (R. R. Sharpe, ed.) (London, 1911) p. 181.

recorded in the Hustings Court from 1400 to 1450⁸ indicates that during this period a total of 360 citizens made 382 bequests in the form of lands, rents, annuities, etc. to the dead hand of the Church. Obviously the vast majority of the citizens by this time felt that the problem of mortmain bequests had been settled and the rights of London vindicated.

There were some, however, even at this late date, who still seemed to have doubts about the right. In the wills of four citizens during this period the doubt is openly expressed. These testators manifest an uncertainty as to whether or not their devises are valid since they are mortmain bequests. Accordingly, they provide alternatives should the statute of mortmain apply to bequests in London at the time of probate. The alternatives provide that the properties be sold and the proceeds be devoted to the good of their souls. One of these men is a certain John Waleys who in his will dated 20 April, 1410, leaves a parcel of landed property to the rector of the church of St. Peter de Cornhill and to the Guild of St. Peter in the same church, on condition that a chantry be established. Like the other three testators in question, however, Waleys is not entirely sure that the mortmain bequest will prove to be legally acceptable. Accordingly, in order to ensure that his soul will be looked after, he provides an alternative which calls for the property to be sold and the proceeds used for pious and charitable work.⁹ The same doubts appear to have confronted a certain John Deyster, whose will is dated 1415. He seems even more certain of the invalidity of the mortmain bequest, for he leaves property to a religious fraternity on the condition that they obtain the license for a mortmain bequest at their own expense.¹⁰ In all five cases, it might be mentioned that these wills were drawn up before the final solution of 1434 and thus the doubts may have stemmed from a tendency on the part of these men to view the debate on the abuses of London's right to bequeath in mortmain as a questioning of the right itself. The efforts to stamp out the abuse of the customary right of London by non-citizens led these men to doubt the validity of their own bequests due to a failure to comprehend the thrust of these efforts.

8 *Calendar of Wills Proved and Enrolled in the Court of Husting, London 1258-1688* 2 (R. R. Sharpe, ed.) (London, 1889) passim.

9 *Calendar of Wills* II p. 384. The other examples are found in the wills of Elias Bokkyng, John Olneye (both dated 1410) and Thomas de Mokkyng (dated 1427, 1428). *Calendar of Wills* II p. 387, 388, 448. It should be noted that there are other testators who provide alternatives should the original bequest not be fulfilled but these men are the only ones who specifically mention the mortmain problem as the cause of their anxiety.

10 *Calendar of Wills* II p. 410.

Perhaps the clearest illustration of the confusion that still existed in early fifteenth-century London over this matter lies in two inquisitions made by the mayors in 1406 and 1409, acting on king's writs. The first of these, dated 19 October, 1406 before the mayor, John Wodecok, was an enquiry into a bequest by John Bryan to the priory of Elsing Spital.¹¹ It was concluded that the priory held the property contrary to the statute of 1279, since John failed to obtain a license to bequeath in mortmain.¹² Thus, it seems that the mayor's inquisition in this case upheld the ban on mortmain bequests in London. The second inquisition, dated 28 August, 1409 before the mayor, Drew Barentyn, examined a bequest of William Beuver to the rector of St. Botolph and the chamberlains of the Guildhall, London for perpetual chantries.¹³ The inquisition found that no license to bequeath in mortmain had been obtained by the testator, but at the same time it acknowledges that the bequest is valid. The reason given for the acceptance of this mortmain bequest is interesting, for the inquisition noting that no specific license had been obtained, gives reference to the charter of the city which grants every London citizen the right to bequeath his property to whomever he wished.¹⁴ The variance of opinion illustrated in the decisions of these two inquisitions must have had some effect on London testators and probably contributed to the doubts and anxieties revealed in the wills of some individuals.

The examples noted in the wills and in the inquisitions indicate, therefore, that even though the principle of the freedom of London citizens to bequeath in mortmain was asserted after 1279 and was confirmed by royal charter in 1327 there were still some who doubted this freedom. Almost a century after Edward III's confirmation, in the early years of the fifteenth century, the statute of mortmain was still capable of causing anxiety in the minds of some testators. This anxiety points out how a difference between common law and London custom could effect an individual and indicates how difficult it was to define the practical limits and application of the two sources of law in England.

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¹¹ *Ibid.* p. 24.

¹² *Calendar of Inquisitions Miscellaneous VII* #337.

¹³ *Calendar of Wills II* p. 206-7.

¹⁴ *Calendar of Inquisitions Miscellaneous VII* #380. The charter referred to is obviously the one granted in 1327 by Edward III. cf. Walter de Gray Birch. op. cit. p. 53-4; *Calendar of Inquisitions Miscellaneous VII* #404.

WAS THE MARCHFIELD PART OF THE FRANKISH CONSTITUTION?

Bernard S. Bachrach

FOR many medievalists it is almost axiomatic that the Franks of the Merovingian era were a nation of infantrymen who, disdaining horsemanship, could begin campaigns early in the spring before there was sufficient grass for fodder. It is also traditionally held that the armies of Clovis and his descendants gathered on the first day of March each year at a *Campus Martius* or Marchfield for the purpose of beginning the regular season of military campaigning. Further, scholars have maintained that King Peppin I moved the muster from March to May so that the newly-created Carolingian cavalry would have enough fodder for its horses.¹ The traditional picture of the Merovingian army as a horde of half-naked axe-throwing infantrymen has recently been shown to be a myth which has flourished because scholars have ignored most of the available evidence and put excessive faith in the remarks of two Byzantine writers who were poorly informed.² Freed from previous views of

¹ Heinrich Brunner, "Der Reiterdienst und die Anfänge des Lehnwesens," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Germanistische Abteilung*, 8 (1887), 1-38; Christian Pfister, "Gaul under the Merovingian Franks: Institutions," *Cambridge Medieval History*, 2 (Cambridge, 1913), 135; G. L. Burr, "The Carolingian Revolution, and Frankish Intervention in Italy," *CMH*, 2, 581; and Gerhard Seeliger, "Legislation and Administration of Charles the Great," *CMH*, 2, 669. For more recent works, see R. H. C. Davis, *A History of Medieval Europe* (London, 1957), pp. 115, 141; Lynn T. White, Jr., *Medieval Technology and Social Change* (Oxford, 1962), pp. 3-4, 136-137; F. L. Ganshof, *Frankish Institutions under Charlemagne* (Providence, R. I., 1968), pp. 62, 155; Peter Munz, *Life in the Age of Charlemagne* (London, 1969), pp. 69-70; Erich Zöllner, *Geschichte der Franken* (Munich, 1970), p. 49; and A. V. B. Norman, *The Medieval Soldier* (New York, 1971), pp. 21, 29. This list is in no sense meant to be exhaustive and could be trebled in size with little effort. For an easily available presentation of the traditional view of the Merovingian military, see John Beeler, *Warfare in Feudal Europe, 730-1200* (Ithaca, N. Y., 1971), pp. 7ff.

² Bernard S. Bachrach, "Procopius, Agathias, and the Frankish Military," *Speculum*, 45 (1970), 435-441; Bernard S. Bachrach, *Merovingian Military Organization, 481-751* (Minneapolis, 1972), and Donald A. Bullough, "Europae Pater: Charlemagne and His Achievement in the Light of Recent Scholarship," *English Historical Review*, 75 (1970), 84-90.

the Merovingian military which have had the effect of buttressing faith in the *Campus Martius*, we can now give serious attention to the evidence for the existence of this institution itself.³

Over the years a few scholars have reexamined unconvinced that the Franks ever had a tribal custom which called for a muster on the first day of March of each year for the purpose of beginning the campaigning season. In fact, doubt about the very existence of this custom goes all the way back to the ninth century and focuses upon the difference between a *Campus Martius*, a Marchfield, and *Campus Martis*, a mustering field named for Mars, the god of war, a gathering which might be held at any time during the year.⁴ In the present study all of the evidence has been brought together for the first time in an effort to ascertain if there is sufficient basis to substantiate the traditional interpretation of the *Campus Martius*.

The famous story, or perhaps more accurately legend, of the vase incident at Soissons provides the earliest evidence for a *Campus Martius*. Gregory of Tours, the first writer to record the vase incident, tells us that Clovis ordered his followers to come to a *Campus Martius* for the inspection of their arms. At this gathering Clovis supposedly split open the head of a warrior who a year earlier at Soissons had defied him by smashing an important vase which had been taken as booty.⁵

The meaning of *Campus Martius* in Gregory's text, however, is far from

3 Additional support has been given to belief in the *Campus Martius* by the role ascribed to it as evidence for the classic theory of feudal beginnings. This theory formulated by Brunner (*loc. cit.*) and popularized with a new twist by White (*loc. cit.*) has been shown to be untenable in recent studies. See, for example, Bullough, "Europae Pater," 84-90, and Bernard S. Bachrach, "Charles Martel, Mounted Shock Combat, the Stirrup, and Feudalism," *Studies in Medieval and Renaissance History*, 7 (1970), 49-75.

4 The basic critique of the traditional view is still that of L. Levillain, "Campus Martius," *Bibliothèque de l'École des Chartes*, 107 (1947/48), 62-68. See Bullough, "Europae Pater," p. 86, and *The Age of Charlemagne* (London, 1965), p. 36; Louis Halphen, *Charlemagne et l'empire carolingien* (Paris, 1947), p. 161; J. M. Wallace-Hadrill, *The Barbarian West* (3rd ed.; London, 1967), p. 75, n. 1, asserts: "The *Campus Martius* ... is often wrongly translated as the Marchfield; but in fact it was the Field of Mars, the Warfield, and was not less so when, as later happened, the assembly met in May"; and Hincmar, *Vita Remigii*, ch. 11 (ed. B. Krusch: *MGH, Scr. rer. Merov.*, III [Hannover, 1896], 292-293).

It should be pointed out that German scholars have tended to ignore Levillain's work (see, for example, the remarks by Bullough, "Europae Pater," p. 62) and White, *Medieval Technology*, p. 137, cites it in such a way as to imply that Levillain supports the traditional interpretation of the *Campus Martius*.

5 Gregory of Tours, *Historiarum libri*, II, 27 (ed. B. Krusch and W. Levison: *MGH, Scr. rer. Merov.*, I, 1 [2nd ed.; Hannover, 1937-1951]): "Transacto vero anno, iussit, omnem cum armorum apparatu advenire falangam, ostensuram in campo Marcio horum armorum nitorem." On the legendary nature of this incident, see Louis Halphen, "Gégoire de Tours, historien de Clovis," *Mélanges d'histoire du moyen âge offerts à M. Ferdinand Lot* (Paris, 1925), 240-241. On the chronology, see Bernard S. Bachrach, "Procopius and the Chronology of Clovis's Reign," *Viator*, 1 (1970), 21-31.

clear. Some scholars conclude that this was a Marchfield, the traditional Frankish muster which began each year's campaigning on the first day of March. Others have suggested that the city of Soissons may have had a *Campus Martius* or military parade ground such as the *Campus Martius* at Rome or the one at Besançon. If the episode in which Clovis is said to have killed the recalcitrant warrior took place at a city other than Soissons, which may perhaps be suggested by Gregory's quotation of Clovis's alleged remark to the victim, "Sic', inquit, 'tu Sexonas in urceo illo fecisti'", then the story may refer to a parade ground at some other Gallo-Roman *civitas*. Clovis therefore may merely have gathered his followers in the same kind of place where it had been common for the Romans before him to have gathered for arms inspection. There is also the possibility that Gregory was referring to a muster or *Campus Martis*, which might have been held at any time of the year and in any place, simply a gathering of troops for military purposes, a war field.⁶

The vase story recounted by Gregory not only provides the earliest mention of the *Campus Martius*, but it is the only mention of it in the corpus of sources for the entire 270 year history of Merovingian Gaul.⁷ Particularly illuminating is the failure of the law codes of both the Salian and the Ripuarian Franks to mention the *Campus Martius*; these compilations were redrawn from time to time at the direction of various Merovingian and Carolingian monarchs. Not even in the frequent glosses made on these texts by early medieval observers does one find a mention of the *Campus Martius*.⁸

The datable offensive military campaigns of the Merovingian kings

6 Levillain, "Campus Martius," pp. 62-63.

7 Although the *Campus Martius* does not appear in the Merovingian sources, some events of importance are noted as occurring on the calends of March. Thus, King Childebert II held a council with his magnates on 29 February 596. This was not, however, a muster of troops for campaigning. In fact, Childebert died before the year was out. Queen Fredegund and King Chlothar II went to war after Childebert's death. This campaign surely did not originate on the first of March 596. For Childebert's council, see *Childeberti Secundi Decretio*, ch. 1 and the *datum* clause (ed. A. Boretius, *MGH, Capitularia Regum Francorum*, I [Hannover, 1883]). For Childebert's death in 596 and Fredegund's military campaign shortly thereafter in the same year, see *The Fourth Book of the Chronicle of Fredegar with Its Continuations*, ed. and trans. J. M. Wallace-Hadrill (London, 1960), hereinafter cited as *Fred.* for Fredegar and *Fred. Cont.* for the continuators: *Fred.*, chs. 16, 17.

It was customary in the most Romanized parts of Gaul, where imperial traditions persisted, to make public the tax assessments for the year on the calends of March. See, for example, Gregory, *Hist.*, V, 4, 28, and the treatment by F. Lot, *L'Impôt foncier et la capitation personnelle sous le Bas-Empire et à l'époque franque* (Paris, 1928), p. 85. Cf. G. Waitz, *Deutsche Verfassungsgeschichte*, 2 (3rd ed.; Berlin, 1882), 267-268, n. 3.

8 For a brief survey, see Rudolf Buchner, "Die Rechtsquellen," *Wattenbach-Levison Deutschlands Geschichtsquellen im Mittelalter* (Weimar, 1953), 15-25.

have never been discussed with reference to the *Campus Martius*. It would seem logical that if the majority of these efforts were begun in March then a *prima facie* case could be made for this institution. Considered below are all the military campaigns undertaken by Merovingian forces which can be dated even approximately as to the month in which they were initiated. In 507 Clovis called together his followers for an invasion of the Visigothic kingdom. One of Clovis's orders for that campaign survives; this directive restricts his men from taking anything except grass and water for their horses from the countryside.⁹ If in fact there was sufficient grass available for fodder when this campaign was launched, then May is a more likely month for its beginning than March.¹⁰

In 531 King Theuderic I campaigned against the Thuringians. Gregory of Tours describes the events in the following manner: "The Thuringians prepared traps for the oncoming Franks. In a field where the battle would surely be fought, they dug ditches which they covered over with sod so that the field appeared smooth. When the battle began and the Frankish horsemen charged, many of them fell into the ditches which were a very great obstacle to them; but after they realized the nature of the trap, they went more carefully."¹¹ Not only was there presumably grass available as fodder for the Frankish horsemen's mounts but the field was covered with grass as well.

In 539 King Theudebert led an army into Italy; in 554 his son Theudebald sent an army south of the Alps, and in 590 Childebert II's forces made the trek south. Though there is no mention of when these forces were mustered or when they crossed the Alps, it is hardly likely that the expeditions were begun in March. If these campaigns had been attempted that early in the year at least one of the several contemporaries who mention the events (some in great detail) would

9 Gregory, *Hist.*, II, 37 (pp. 85-86): "Sed quoniam pars hostium per territorium Turonicum transiebat, pro reverentia beati Martini dedit edictum, ut nullus de regione illa aliud, quam herbarum alimenta aquamque praesumeret." See Bernard S. Bachrach, "The Alans in Gaul," *Traditio*, 23 (1967), 488, and as modified in Bachrach, "Procopius, Agathias, and the Frankish Military," pp. 439-440.

10 *Officia XII mensium*, ed. H. Stern, *Revue archéologique*, 45 (1955), 185. Cf. White, *Medieval Technology*, pp. 3-4, 137.

11 Gregory, *Hist.*, III, 7 (p. 104): "Thoringi vero venientibus Francis dolos praeeparant. In campum enim, quo certamen agi debebant, fossas effodiunt, quarum ora operata denso cispete planum adsimilant campum. In his ergo foveis, cum pugnare coepissent, multi Francorum equites conruerunt, et fuit eis valde impedimentum; sed post cognitum hunc dolum, observare coeperunt." On this text, see Bachrach, "Procopius, Agathias, and the Frankish Military," p. 39.

surely have remarked upon the hardships that would have been endured in a late-winter crossing of the Alps.¹²

Late in January or early in February of 576 King Chilperic mustered the local levy of Le Mans under its count and sent it against the city of Tours. This force stayed in the field through Easter. In 585, either late in January or early in February, King Guntram called together a large force from throughout his kingdom to attack the city of Poitiers. This force campaigned through the winter and returned home late in March or early in April. In the late spring of 585, Guntram levied another large force and sent it against Visigothic Septimania. In the autumn of the same year he sent yet another force to the western borders of his kingdom.¹³

In 593 Wintrio, the Duke of Champagne, attacked Neustria and found there adequate pasturage for his mounts while his enemies found sufficient foliage for camouflage.¹⁴ In 604 the Neustrians launched a campaign in the autumn against the Burgundians which lasted until Christmas time.¹⁵ In 612 King Theuderic of Burgundy mustered his armies in May for an invasion of Austrasia.¹⁶ In September of 643 the mayor of Burgundy led an army against the Patrician of Burgundy.¹⁷ In March of 717 Charles Martel led his warband against the mayor of the palace, Ragamfred. In October of 732 Charles mustered his forces and attacked the Muslims near Poitiers. In 734 Charles attacked the Frisians in a naval campaign which certainly could not have been launched until the ice had melted. In the autumn of 742 Peppin the Short and Carloman attacked the Alamans, and in the winter of 743 the brothers levied a force from Austrasia to attack the Bavarians.¹⁸

From this review of all the military campaigns of the Merovingian era which can be dated with some hope of accuracy as to the month of their beginning, it seems clear that troops were mustered for offensive actions at most any time of the year. Only one of these campaigns can be firmly dated as having originated in March, that of Charles Martel in 717.

12 On the Italian campaigns, see Bachrach, *Merovingian Military Organization*, pp. 26-27, 60-61, 131-135.

13 Gregory, *Hist.*, V, 1, 4; VII, 24, 34, 37, 38; VIII, 30 (pp. 194, 198-200; 344, 350, 354-355, 359-362; 393-397).

14 *Liber Historiae Francorum*, ch. 36 (ed. B. Krusch: *MGH, Scr. rer. Merov.*, II [Hannover, 1888], 304-306). This campaign was launched sometime after the death of King Guntram on 28 March, 593. For the date, see Fred., ch. 14.

15 Fred., ch. 26.

16 *Ibid.*, ch. 38.

17 *Ibid.*, ch. 90.

18 Fred. Cont., chs. 10, 13, 17, 25, 26. For some discussion of these campaigns, see Bachrach, *Merovingian Military Organization*, ch. V.

Merovingian silence on the *Campus Martius* seems to be more than compensated for by remarks in some of the sources which deal with the early Carolingian era. In the middle of the eighth century, some 250 years after the vase incident and more than a century and a half after Gregory of Tours recorded it, the *Campus Martius* once again appears in the sources.

The Continuator of Fredegar, who had close connections with the Carolingian family, provides us with his firm conviction that there was a Marchfield, that the Marchfield was an old Frankish custom, and that Peppin changed the Marchfield to a Mayfield. Concerning the year 754 the Continuator writes, "At the end of the year the King ordered all the Franks to come to the royal villa of Berny-Rivière on the first of March as was the custom of the Franks. There he took counsel with his magnates and at the time when kings are accustomed to go to war he set out for Lombardy. ..." The Continuator tells us that in 761 Peppin "ordered all the Frankish magnates to come to Düren in Ripuarian territory for a Mayfield, where a court was to be held to discuss matters pertaining to the interest of the kingdom and to the welfare of the Franks." In 763 Peppin "again levied the entire Frankish army and moved through Troyes and Auxerre to the city of Nevers. There he held a court with his Franks and his magnates at a Mayfield." The Continuator notes that two years later Peppin "gathered together the entire Frankish army along with the other peoples who dwelled within his kingdom and coming to Orleans held his court at the Mayfield, which he had been the first to substitute for the Marchfield for the good of the Franks. There he received many gifts from the Franks and from his magnates." Concerning the next year, the Continuator remarks that Peppin "brought together the whole Frankish army, moved through the Troyes area and the city of Auxerre to a fort called Gordon ..., he then crossed the Loire and went to Bourges. There again he ordered a Mayfield to be held as was the custom and having taken counsel with his magnates he left Queen Bertranda at Bourges. ..." ¹⁹

Although Fredegar's Continuator seems convinced that the Marchfield and later the Mayfield were Frankish institutions, we are left to ascertain for ourselves the purpose of these gatherings. In the texts cited above, consultation between King Peppin and his important followers seems to be the primary purpose for the Marchfield and later the Mayfield. In fact, in 761 Peppin ordered only his magnates to attend

the Mayfield. In 763, 766, and 767, Peppin mustered his troops long before he held the Mayfield and in areas far different from the actual location of the Mayfield. Although scholars argue that the Marchfield and later the Mayfield were called to begin the campaigning season, the Continuator clearly states that in 754 the Marchfield was ordered "at the end of the year." In addition, the Continuator was mistaken when he credited Peppin with being the first to use May for calling together his followers. As early as 612 there is a record of Frankish kings mustering their troops in May.²⁰

Fredegar's Continuator shows that consultation was the primary purpose for Peppin's gatherings, and a study of Peppin's and Charlemagne's consultations, musters, and campaigns indicates that neither March nor May was preferred for their beginning. Fredegar's evidence does not support the traditional interpretation that the Marchfield, later the Mayfield, was a muster of troops on either the first of March or later the first of May for the purpose of beginning the campaigning season each year.²¹

Sources for the early Carolingian era other than Fredegar's Continuator provide no support for the notion of an institutionalized Marchfield as traditionally defined. Concerning the year 750, the author of the *Annales Laurissenses minores* wrote, "in die autem Martis campo secundum antiquam consuetudinem dona illis regibus a populo offerebantur ..." ²² This text seems to indicate that it was an old custom for the people (fightingmen?) to give the king presents when they gathered on the mustering field-the Field of Mars.

The *Annales Petaviani* for 755 seem to make matters more clear:

²⁰ Fred., ch. 38.

²¹ *Annales Regni Francorum* (ed. F. Kurze: *MGH, Scriptores rerum Germanicarum in usum Scholarum* [Hannover, 1895], for the years 776, 783, 800, 815, 820, 821, 823, and 824 provide a large sample drawn from one very important source indicating that the Carolingians began campaigns and held councils for military purposes at any and all times of the year. Levillain, "Campus Martius," p. 64, n. 1, quotes a more limited selection from several sources which suggest the same conclusion. For additional information, see T. Breysig (ed.), *Jahrbücher des fränkischen Reichs*, 714-751 (Leipzig, 1869); L. Oelsner (ed.), *Jahrbücher des fränkischen Reichs unter König Pippin* (Leipzig, 1891); and S. Abel and B. Simson (eds.), *Jahrbücher des fränkischen Reichs unter Karl dem Grossen* (Leipzig, 1883-1888), 2 vols.

Hans Delbrück, *Geschichte der Kriegskunst im Rahmen der politischen Geschichte*, 2 (2nd ed.; Berlin, 1921), 463, concludes that the Marchfield was "nur eine Art Reichstag". White, *Medieval Technology*, pp. 136-137, is too bold in claiming that there is no evidence to support Delbrück's assertion. Ganshof, *Frankish Institutions*, p. 62, points out that between 756 and 768 the Mayfield took place only six times in May; under Charles who ruled for forty-five years the Mayfield was held in May a maximum of seventeen times. See also, pp. 22, 117, 155. We find a Mayfield used for consultation with the magnates as early as 641 (Fred., ch. 90).

²² *Annales Laurissenses minores*, a. 750 (ed. G. Pertz: *MGH, Scriptores I* [Hannover, 1826], p. 116).

"Venit Thasilo ad Martis campo et mutaverunt Martis campum in mense Maio."²³ Thasilo came to the Field of Mars, *i.e.* the muster for war, and then they changed the meeting to the month of May. Although it is clear that the second *Campus Martis* was in the month of May, there is no way to ascertain from this text the month in which the original muster was in fact held.

These differences in the Carolingian sources which have enabled modern scholars to arrive at varying interpretations also engaged the mind of at least one famous ninth-century writer. When Hincmar of Rheims came to describe the famous Soissons vase incident in his *Vita Remigii*, he felt compelled to comment on the meaning of *Campus Martius*. Hincmar writes as if to correct some mistaken notions which had become popular: "So they named the gathering after Mars, whom the pagans believed to be the god of war, and from which both the month of March and the third day of the week, the day of Mars, are named. This gathering later Franks came to call a Mayfield because that is when kings are accustomed to go to war."²⁴ It is Hincmar's conclusion that the Franks of old called the place where they gathered to go to war a field of war or a Marsfield. Later writers, misunderstanding *Campus Martius* as found in the story of the vase incident, thinking that it meant Marchfield, an analogy with Mayfield, but knowing that the Franks did not confine the beginnings of their military activities to the month of March, concluded that some fundamental change had taken place. Therefore, the entire theory of a *Campus Martius*, as traditionally defined by scholars, rests upon a misunderstanding by an early Carolingian chronicler of Gregory text wherein is found the sole evidence for *Campus Martius* for the entire Merovingian era. It seems possible that the Merovingians had a *Campus Martis*, a war field, which might be held at any time of the year.

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²³ *Annales Petaviani*, a. 755 (ed. G. Pertz: *MGH, Scriptores I* [Hannover, 1826], p. 11).

²⁴ Hincmar, *V. Remigii*, ch. 11: "Sic enim conventum illum vocabant a Marte, quem pagani deum belli credebant a quo et Marcium mensem et tertiam feriam diem Martis appellaverunt; quem conventum posteriores Franci Mai campum, quando reges ad bella solent procedere, vocari instituerunt." The phrase "when kings are accustomed to go to war" is of biblical provenance and is also quoted by Fred. Cont., ch. 37. The phrase "posteriores Franci" may indicate the Carolingians as compared to the Merovingians the latter of whom may be regarded as *Franci anteriores*.

THE MCGILL UNIVERSITY FRAGMENT OF THE "SOUTHERN ASSUMPTION"

Michael G. Sargent

THE "Southern Assumption" fragment, numbered McGill University MS 142 in de Ricci's *Census of Medieval and Renaissance Manuscripts*,¹ has hitherto been accepted as a fragment of the *Cursor Mundi*. Both de Ricci's *Census*, and the *Index* and *Supplement* of Brown, Robbins, and Cutler,² seem to have taken their observations from a descriptive sketch of the MS, which is kept with the leaves of the fragment in McGill University's Rare Book Collection. This description, after labelling the MS a fragment of the *Cursor*, goes on to point out that it corresponds to lines 20129-20314 of the edited texts,³ but that it "displays very considerable variations from each of [these] versions," and was written in a Southern dialect.⁴

However, on the basis of several observations, it seems more reasonable to consider the McGill University MS to be a fragment, not of the *Cursor* itself, but of the antecedent Southern poem, which Brown and Robbins term "The Assumption of Our Lady."⁵ This poem, whose sources were traced by Franz Gierth and by George H. McKnight,⁶

1 Seymour de Ricci, *Census of Medieval and Renaissance Manuscripts in the United States and Canada* 2 (New York, 1935-40), p. 2218.

2 Carleton Brown and Rossell Hope Robbins, *The Index of Middle English Verse* (New York: Columbia University Press, 1943), item 2153: 10. Robbins and John L. Cutler, *Supplement to the Index of Middle English Verse* (Lexington: University of Kentucky Press, 1965), item *ibid*.

3 *Cursor Mundi: Four Versions*, ed. Richard Morris (Oxford University Press, 1874-1893), Early English Text Society O.S. 57, 59, 62, 66, 68, 99, and 101. The Assumption section is part IV (O.S. 66), pp. 1152-1163.

4 The description, typewritten on an index card, is the only information McGill University has of the MS, according to Mrs. G. D. Sprott, Manuscript Curator, in a letter to me of 7 December 1971.

5 *Index*, item 2165.

6 Franz Gierth, "Über die älteste mittenglische Version der Assumptio Mariae," *Englische Studien*, VII (1884), 1-33. George McKnight, Introduction to his re-edition of *King Horn, Floriz and Blaunchefleur, The Assumption of our Lady*, ed. Rev. J. Rawson Lumby, Early English Text Society O.S. 14 (1866, 1901), pp. xlv-lviii.

exists in a total of seven MSS: 1) the McGill MS; 2) Camb. Univ. MS Dd. I. 1, f. 175^a; 3) Camb. Univ. MS Ff. II. 38, f. 40^b; 4) Brit. Mus. MS Harley 2382, f. 75^a; 5) Chetham Libr. (Manchester MS 8009, f. 4^a; 6) Camb. Univ. MS Gg. IV. 27. 2, p. 26; 7) Brit. Mus. MS Addit. 10036, f. 62^a. These latter two MSS (hereafter Gg and A) were treated by H. Hupe, in his article "On the Filiation and the Text of the MSS of the Middle-English Poem *Cursor Mundi*," as partial texts of the *Cursor*. In his later "*Cursor Studies*,"⁷ Hupe pointed out that his comparison of the dialect and wording of the A text with that of the E text of the *Cursor Mundi*⁸ led him to believe that the two MSS were derived from a single West Midland source. This was the basis of his conclusion that A, and consequently Gg, was a fragment of the *Cursor Mundi*, a conclusion which was the probable source of the later descriptions of the McGill MS as a fragment of the *Cursor*.

In the formulation of his arguments, Hupe seems to have been unaware of the "Inquiry into the Sources of the *Cursor Mundi*" of H. C. W. Haenisch, written in 1884.⁹ Haenisch showed that the author himself of the *Cursor Mundi* attributed his Assumption section to a previous poem in "Southern English," which he believed to be the work of Saint Edmund of Canterbury.¹⁰ On the basis of the manifest coincidence of the wording to be found in the A and Gg texts of the Assumption, and the *Cursor*, Haenisch concluded "that the Southern-English version of the legend, which the author of the C ascribes to Edmund of Pontenay, is identical with that Southern version which we possess."¹¹ In this, Haenisch has been seconded by George H. McKnight, Gordon Hall Gerould, and by the *Index* of Brown and Robbins, which treats the A and Gg texts, not as fragments of the *Cursor*, but as texts of a separate poem.¹²

7 "On the Filiation and the Text of the MSS of the Middle-English Poem *Cursor Mundi*" in Morris, *op. cit.*, part VII (O.S. 101), pp. 59*-103*. "*Cursor Studies*," *Ibid.*, pp. 105*-271*.

8 MS Edinburgh College of Physicians.

9 "Inquiry into the Sources of the *Cursor Mundi*" was contained in only the earliest printings of the Morris *Cursor*, *op. cit.*, in what was then part VI, pp. 3*-56*, immediately preceding Hupe's "Filiation" essay. But in 1893, after the printing of Morris' Preface and Notes, and Kaluza's Glossary as part VI (O.S. 99), Hupe's essay was removed to form part VII, as note 7, *supra*, and Haenisch's "Inquiry" was dropped.

10 *Cursor*, lines 20057-20064, discussed by Haenisch, *op. cit.*, pp. 42*, 46*. Saint Edmund of Canterbury, whose family name was Rich, is referred to in the *Cursor* by his place of burial, as "Edmund o ponteni" (Pontúgny).

11 Haenisch, *op. cit.*, p. 46*.

12 McKnight, *op. cit.*, pp. lii, liv. Gerould, *Saint's Legends* (Boston: Houghton Mifflin, 1916), pp. 212-214. Brown and Robbins, cf. note 5, *supra*.

Further, Hupe summarily dismissed the earlier work of Franz Gierth on the sources of the Assumption texts, because Gierth had not treated the Assumption in relation to the *Cursor Mundi*.¹³ Yet Gierth deserved somewhat more consideration than Hupe gave him, because, in tracing the Middle English development of the Assumption legend, he showed the dependence on the "Southern Assumption" of both the Brit. Mus. Cott. Tib. E. VII and the Brit. Mus. Harley 4196 texts of the *Northern Homily Cycle*, and the Lambeth Palace MS 223 text of the *South English Legendary*.¹⁴ This dependence, in both cases, extends to the two-hundred-odd lines of the "Assumption" which, as Hupe admits, are not to be found in the *Cursor Mundi*.¹⁵ These considerations establish the known texts of the "Southern Assumption" as a poem antecedent to the *Cursor Mundi* a little too strongly for Hupe to overturn on the basis of four cited instances of word agreement¹⁶ found in the mere eighty-eight coincident lines of A and E. In fact, Hupe seems to have been followed in his treatment of the "Southern Assumption" only by the anonymous author of the McGill University MS description.

Beyond these general considerations, the McGill text itself yields evidence for a connection with the "Southern Assumption" rather than the *Cursor Mundi*. First, the dialect of the poem is definitely Southern.¹⁷ We find that: OE *a* followed by a nasal consonant appears as "a" (MED *mon/man* line: cf. lines 90, 92, 117). OA *ā*, whether or not followed by a nasal consonant, becomes "o": as *gon* (line 7), *forgo* (line 126), *ago* (line 130), *clozes* (line 77), *holi* (line 83: 3x total). OE *ȳ* yields both rounded and unrounded forms (if, indeed, "u" spellings indicate rounded vowels), but none lowered: as *king* (line 32: 3x total), *kin* (line 51), *kinesman* (line 149), but *kunesmen* (line 105), *mancunne* (line 92), and *kud* (*cȳ*ded, line 174).

13 Hupe, "Filiation," p. 62*, note 3.

14 Gierth, *op. cit.*, pp. 12-33. The *Northern Homily Cycle* texts are discussed in C. Horstmann, *Altenglische Legenden: Neue Folge* (Heilbronn: Gebr. Henninger, 1881), pp. LXXVIII-LXXXIX, and printed, *Ibid.*, pp. 112-118. The *South English Legendary* text is unpublished. Another re-working, in the Auchinleck MS, is mentioned by Gerould, *op. cit.*, p. 213, and John Edwin Wells, *A Manual of the Writings in Middle English: 1050-1400* (New Haven: Yale University Press, 1916), p. 331. This text was described and published by Max Schwarz, "Kleine Publicationen aus der Auchinleck-HS: IV. Die Assumptio Mariae in der Schweifreimstrophe" *Englische Studien*, VIII (1885), pp. 427-464.

15 Hupe refers to the first 12, and last 84 lines of the poem, but the main variation is that the *Cursor Mundi* lacks the miracle of Saint Thomas and the belt of Mary, 150 lines from the end of the "Southern Assumption." This section is present in all of the other versions, including the unpublished Lambeth *South English Legendary* text.

16 Hupe, "Cursor Studies," p. 115.

17 The dialect criteria below are given in the order used by Edmund Colledge, O. S. A. and Cyril Smetana, O. S. A., "Capgrave's Life of St. Norbert: Diction, Dialect and Spelling," *Mediaeval Studies*, XXXIV (1972), pp. 422-434, supplemented by reference to the MED, as noted.

If "3" is a "th", rather than an "s" spelling, (as *zider*, line 74, *wiz*, line 14: 10x total, and *wizoute*, line 60: 3x total), the 3rd sing. pres. indic. verb forms are "th" (8x, as *bigilez*, line 90, and *seip*, line 33), "e" (*wole*, line 35: 4x total, and *nole*, lines 108, 170), and the two forms *schal* (line 38: 9x total) and *may* (line 123). The 2nd sing. pres. indic. is "st" (6x, as *hauest*, line 174, and *bringest*, line 48) or "t" (5x, as *art*, lines 47, 81, and *schalt*, line 3A: 3x total). The sole form *wrouzt* (line 99) may be a scribal slip, as it is made to rhyme with *bouztet* (line 100). The pres. indic. plu. conjugation is represented by "th" (2x: *bez*, line 156, and *habbez*, line 115), "t" (*pinket*, line 41), and "e" (4x: *scholle*, *schulle* from OE *sculon*, line 124: 4x total). There are no "en" forms. There is only one present participle: *goinde* (line 150). The nominative form of the 3rd personal pronoun plural is *hi* (line 97: 3x total), and the oblique form is *hem* (line 9: 13x total). The nominative sing. of the fem. 3rd personal pronoun is *hue* (line 1: 9x total). OE -and in stressed syllables becomes "ond" (5x: *hond*, lines 31, 71, 99, and *sond*, lines 32, 72). The forms *god* (lines 115, 136), *blod* (lines 27, 100), *rode* (line 16), point to an area south of the MED gūd/gōd isogloss. Modern English "shall" is represented by *schal*-forms (line 12: 21x total). Further, initial "f" is voiced occasionally, as *vor* (line 87), *vram* (line 36: 6x total), and *vort* (line 42), thus south of the MED fōt/vōt isogloss. The characteristics are all of a Southern dialect, and the distribution of the forms derived from OE ȝ might possibly place the text more closely as lying in the area of the hul/hil isogloss of MED maps 1 and 5: Berkshire, Hampshire, and Surrey. With reference to this, it may be remarked that Gerould said that the "Southern Assumption" "seems to have been made in one of the middle southern counties."¹⁸

Moreover, as the McGill MS description notes, the text there differs considerably from the Assumption section of the *Cursor Mundi*. The variations of the McGill MS represent, in part, matter original to this text: of the 178 lines of the MS, 76 display significant variation from any published text of either the *Cursor Mundi* or the "Southern Assumption." However, of the remaining 102 lines, only 12 are closer to the *Cursor* and Hupe's "Cursor-derived" A text of the "Southern Assumption" as against the Gg text of the latter. By and large, the McGill text agrees more often with the "Southern Assumption," and particularly with the Gg text.

Lastly, there is the consideration of the size of the McGill MS. The McGill text was written in single columns of 22 lines each, on four folios of approximately 8 x 13 cm. It is impossible to expect that such a

¹⁸ Gerould, *op. cit.*, p. 212.

format could contain the awesome length of the *Cursor*; to encompass this length, the average page of the *Cursor* texts contains two columns of nearly 50 lines. The MS from which the McGill fragment came could have presented no more than a small part of the *Cursor Mundi*. Yet, in this case, it would be more reasonable to assume that the McGill MS is a copy of part of the "Southern Assumption," of which we already possess several examples, than to postulate yet another poem, of which the McGill text is the only known copy.

The hand of the McGill text is a neat book-hand, with few suspensions. Compared with the examples in Wright's *Vernacular Hands*,¹⁹ it seems to date from the very end of the thirteenth century, or the first third of the fourteenth. In reproduction, the suspensions in the text are expanded in italics, and imperfect readings caused by wear on the upper outside corner of each folio have been supplied in brackets. For the same reason, occasional readings have been supplied, italicised in brackets, from the Gg text of the "Southern Assumption." The initials of nearly all the lines of the McGill fragment are touched with red, and two-line, indented red capitals are found at lines 5, 29, 45, 61, 71, 103, 121, 131, 149, and 162. In several of these cases, the second letter of the line is capitalised and touched with red. Such capitalisation is followed below. What punctuation there is in the MS is erratic, and not reproduced.

To aid comparison with the texts of the *Cursor Mundi* and the "Southern Assumption," the number of every fifth line of these has been placed to the right of the corresponding line of the McGill text, which is itself numbered on the left. Further, notes have been supplied to mark the divergences of the texts. Where reference is made to individual MSS of either the "Southern Assumption" or the *Cursor Mundi*, they are contracted to SA : A, SA: Gg, or CM: C, CM: G, CM: F, or CM: T (the latter referring to the Cotton, Göttingen, Fairfax, or Trinity MSS of the *Cursor*, respectively).

This author would like to thank Mrs. G. D. Sprott, Manuscript Curator, and the staff of McGill University Library for their kind assistance.

¹⁹ C. E. Wright, *English Vernacular Hands from the Twelfth to the Fifteenth Centuries* (Oxford: at the Clarendon Press, 1960).

- To him hue clepede wiȝ rewlich [*steuene*]
 To hire he sende an aungel fram Heuene C.M. 20130/S.A. 75.
 And hire to gladie him self he cam
 Crist þat of hire flesch nam
 5 Seyn iohan was a trewe fere
 Ant wiste hire so his moder were
 Nolde he neuere fram hire gon C.M. 20135.
 Al þat hue wolde he dede anon S.A. 80.
 Crist hem fechchede boȝe iliche
 10 In to þe blisse of heuene riche
 Wan þat maide marie hende
 Scholde out of þis world wende
 Crist hire sende an aungel fram heuene
 þat grette hire wiȝ milde steuene
 15 Þo marie hadde maked hure bede C.M. 20145.
 Þer liztte an aungel in þe stede S.A. 90.
 And seide marie ful of grace
 Wel þe bu in eche place
 Ne drede þe nowȝt þer ich be her
 20 Ich am þi sones messenger C.M. 20150.
 Ant fram heuene ich am icome S.A. 95.
 Wel þe gretez þi leue sone
 ...[of] þe [fol. v.]
 ...[ant] moder wel þe be
 25 Wel be þe time þat þou were bore C.M. 20155.
 For al þis world were for lore S.A. 100.

1: *clepede*; CM, SA: A called: *rewlich*; SA: Gg *murie*, CM *rewþful*, SA: A *rewful*.

3-4: CM "He-self come quilum þat scho bare/For to confort his auen moder care" (*from* CM: g).

5-6: CM, SA "Seint Ion kepte & was hire dere/He was hire eure a trewe fere" (*from* SA: Gg).

8: CM "For bath þair willis was als ane" (*from* CM: G).

9-12: SA "þe whiles hi were in þat stede/Al þat heo wolde he hit dede/Whane heo hadde beo þer longe/Ten wyntere hem amonge/Hire sone wolde heo come hym to/Whane he hit wolde hit was ido" (*from* SA: Gg); CM "Al þat scho bad gladli he did/To-quilis þai lenged in þat sted/Quen scho had þar wele lang bene/þe leuedi þat es heuenes quene/Hir langed sare hir sun cum to/And quen scho greued sone was scho" (*from* CM: G).

14: *milde*; SA *murie*.

15: SA: Gg "In þe temple he bad hire bede": SA: A "Ther sche was & bad hure bede."

15-16: CM "In þe temple wid hir he mett/Honurand hir þar he grett" (*from* CM: G).

17: *marie*; SA, CM *lefdi*.

18: *Wel*; SA: A Blessed: *eche*; CM: C, F, G ilk a, CM: T euery.

19: *Ne drede þe nouȝt*; SA, CM *Ne beo noȝt of drad* (*from* SA: Gg).

21: *heuene*; SA, CM *Fram hym to þe* (*from* SA: Gg); *except* CM: F "to þe his wille hit mote be done".

23-24: Cf. lines 27-28: SA, CM "Flur of erþe of heuene quen/Iblessed mote þu eure ben" (*from* SA: Gg).

25-26: *bore/forlore*; like SA: Gg: all others have participle in "n".

- 3if þou nere ant þat blod of þe
 Marie leuedi wel þe be
 Leuedi best to þe ich bringge C.M. 20160.
 30 Fram þi sone blisful tīpingge
 Nim þis palm in þine hond S.A. 105.
 It is heuene kingges sond
 To him he seiþ þou schalt come C.M. 20165.
 Ne schalt þou here no lengere wone
 35 Sone he wole sende aftur þe S.A. 110.
 Angelus vram heuene gret plente
 Ant bringge þe to þat blisse
 Þat euere schal leste wiþ oute misse
 Þer he is king þou schalt be quen
 40 Al heuen þer of bliþe schal ben C.M. 20170.
 Ant alle hem pinket swiþe long
 Vort þou come hem among
 Leuedi swiþe greiþ nou þe
 Ne schaltou here no lengere be
 45 Þo ansuerede oure [*lefdi*] C.M. 20175/S:A
 And sede to þe aungel bel [*ami*] 115. [fol. 2r.]
 Artou mi sonnes messenger
 Pat bringest me þis word nou her
 Haz he set me ani day

27: *blod*; SA, CM *frut*.

28: *wel þe be*; CM: G, C godd wid þe be, CM: F blessed þou be; CM: T "Wipouten ende had mon lost be."

29-30: SA, CM "Lefdi best of alle þinge/Wel bliþe bode ihc þe bringe" (*from* SA: Gg): SA: A "Bliþe tīpynges" for "Wel bliþe bode."

31: *Nim*; CM, SA: A *take*.

31-32: SA: A "Thou take þis palme þat I brynge þee/Thi dere sone hap sent it þee."

32: *heuene kingges*: SA, CM þi dere sonnes (*from* SA: Gg): CM: F "squte" for "dere."

33-34: SA "Thou take þis palme þat I brynge þee/Thi dere sone hap sent it þee" (*from* SA: Gg): CM "Ye thinck ful lang þi sun to sene/Here mai þu nu na langer bene/He sal send efter þe ful sone/Ne sal þu noght here lang hone" (*from* CM: G).

35-36: CM *lacks this couplet*.

36: SA: Gg "Fram heuene adun of his meigne."

37-38: CM "þu sal be broght till heuen blis/þar þu sal neuer of mirthes mis" (*from* CM: G).

40: *þerof*; SA, CM *omit*.

41: *Ant alle hem*; CM All heuen curt (*from* G).

41-42: SA: Gg *lacks this couplet*.

43-44: SA *lacks this couplet*: CM "þu sal be here bot dais þre/Leuedi suete nu graith þu þe" (*from* CM: G. CM: C *lacks the couplet, but there is an erasure, according to Morris*).

46: SA: Gg "To þe aungel þat stod hire by."

48: *word nou*; SA: Gg greting, SA: A, CM: C bodes, CM: F, G, T tīpandes.

- 50 To zens þat ich me greiþe may
 Ant mi leue nime of mi kin
 Ant of mine frendes þat wiþ me ben
 Ant of him þat haȝ me fed and lad
 Ant loked as mi sone him bad
 55 þo seyde þe aungel ich segge-þe C.M. 20185/S.A. 125.
 Ne leuest þou here bute dayes þre
 Þe pridde day to þe schal come
 Mani an aungel vram heuene abone
 Ant bringge þe to þat blisse
 60 þat eure schal laste wiȝ oute misse
 Þo ansuerede oure leuedi
 Tel me þi name bel ami
 Mi name ne telle ich þe nouȝt C.M. 20195.
 Ac nim þis palm þat ich haue brouȝt
 65 þou loke it wel ich bidde þe S.A. 135.
 Ne let it neuere fram þe be
 I ne dar no lengore duelle her
 [For ihc was sent] as messenger [fol. 2v.]
 Þo aungel swiþe to heuen wende
 70 þo he hadde ised is erende

50: *Toȝens*; SA *Azens*: CM "þat i widin me graith mai" (from CM: G); CM: T "þat I me make redy ay."

51-52: CM "I wald gladli witt tuix and quen/To take leue at mi kines-men" (from CM: G). *Morris* translates the first line of this as "I meanwhile would gladly know when," explaining "tuix and" as a contraction of "bituixand" - "meanwhile" ("Notes", *op. cit.*, part VI, page lii). From the same root, "tuix and quen" might also mean "between now and what time."

53: *him*; SA: A *hem*, CM *freindes*.

54: *him*; SA: A, CM: F, T *hem*, CM: C, G *þaim*.

55: *segge*; SA: Gg *telle*.

56: *Ne leuest þou*; SA, CM *þu* (ne) *schalt beo* (from SA: Gg).

57-58: CM "þe thrid day we sall cum dun/wid angelis all loke þu be bun" (from CM: G).

58: *abone*; SA *aboue* (For "abone", rather than "aboue", from OE "onbufan", cf. *Townley Noah*, line 1.16: "With floodis that from abone shal fall ..."): *Mani an*; SA: Gg *omits*, SA: A *Alle ix*.

59-60: *repeats 37- 38 supra*. SA, CM "And fette þe wiþ murye song/For after þe us pinket long" (from SA: Gg).

61-62: CM "þan said it sone vr leuedi/To þe angel þat stod hir be/Quat es þi name þu suete amy/Gladli nu witt þar-of wald i" (from CM: G).

62: *bel ami*; SA: A *þat standeþ me bi*.

63: *telle*; SA: A, CM *seie*.

64: *nim*; SA: A *take*, CM *haue*.

65: *loke*; SA; CM *kep*.

67: *duelle*; SA: A *abide*, CM: C, G, T *bileue*, CM: F *lenge*.

69-72: SA, CM "To þe apostles ihc schal gon/ And bidde hem alle eurech on/ þat hi beon her þe priddie day/ No leng abiden I ne may/ þo he hadde ydon to heuene he steȝ/ Marie abod & was wcl

- Marie nam þat palme in hire hond
 Ant þoutte wel fayr of þat sond
 In to hire boure hue wende anon
 Al so sone hue zider com
- 75 Al hue strepte of here hatere
 Ant wes hire bodi in clene watere S.A. 150.
 Þo hue was wiz cloȝes clad C.M. 20215.
 To iesucrist a bone hue bad
 Ant seide sone ich þonki þe S.A. 155.
- 80 Þat þou woldest þenche on me
 Sone þou art al miȝtti king
 Ich bidde þou ziue þi blessing C.M. 20220.
 Þat þou for þin holi name
 Wite mi bodi vram pine ant schame S.A. 160.
- 85 Wite me vram þe deueles miȝtte
 Boþe be dai ant eke be niȝtte
 Help me nou vor it is ned C.M. 20225.
 For ich me drede of þe qued
 For wiz þe felonnie þat he can S.A. 165.
 90 He bigileȝ mani man [fol. 3r.]

sleȝ/ & nam þat palm þat hire was broȝt/ & of þat bode heo hadde gret poȝt" (from SA: Gg): SA: A lacks the last couplet of this.

73: *boure*; SA, CM Chaumbre: *hue wende anon*; SA: Gg stille he nam, SA: A sone sche nam, CM scho it bar.

74: *zider com*: CM come hir þar, SA: Gg þar cam.

75: *strepte*: SA: Gg, CM: G, F dude, CM: C did tan.

75-76: SA: A "Sche dide of hure cloȝes alle/ And wasche hure *with water of wille*": CM: T "Of dud she hir cloȝes neuer þe latir And wesshe hir swete body in watir": *Line 76 sic in* CM: C, G.

76: *clene*; CM: F faire.

77: SA, CM "þo heo hauede so idon/Al y newe schrud heo dude hire on" (from SA: Gg) *immediately before this line*: *wiz cloȝes clad*: SA: Gg schrud and faire iclad, SA: A faire schred & clad, CM: C, F schod and neu clad, CM: G, T schod and wele clad.

78: *a bone*; *MS looks like a boue*: SA: A, CM: T aboue, SA: Gg abone, CM: C, G a bone, CM: F a bede.

79: *þonki*; CM thanck it.

80: *woldest þenche*; SA, CM: C hauest iþoȝt, CM: F noȝt forȝetin.

81: *almiȝtti*; SA, CM of heuene.

82: *bidde*; SA: A praie, CM biske. CM: F *reverses lines of 81-82*.

83: *þat þou*; SA, CM: C, F Sone, CM: G, T Sute sun: *holi*; SA: A hye.

84: *Wite*; SA Schild, CM kepe: *bodi*; SA: Gg, CM: C, G, T *omit*, CM: F þi hande-werk.

85-86: SA, CM "þat þe deuel ne habbe no myȝt/To derie me hit were vnriȝt" (from SA: Gg).

87: SA: Gg "Sone help me nu iħc haue ned," SA: A "Kepe me sone now is nede." CM "Sun helpe pu me for nu es nede" (from CM: G).

88: SA: Gg "þat i ne haue of þe feond no dred," SA: A, CM "deuil" for "feond".

89: *felonnie*; SA: Gg, CM: C, F, G giles, SA: A, CM: T wiles.

90: *bigileȝ*; SA: Gg bitraieȝ, CM: C, F, G bisuikes.

- Leue sone ȝif þou him nouȝt
 Mancunne þat þou hast dere abouȝt C.M. 20230.
 Sone for þin holi pite
 For sinful men ich bidde þe S.A. 170.
 95 Þat þou for þin holi grace
 ȝiue hem boȝe miȝtte ant space
 Hem to amendi er hi ben dede C.M. 20235.
 Þat hi aferd ne be of þe quede
 Bi þenċ þat þou wiȝ honden hem wrouȝt S.A. 175.
 100 Ant wiȝ þi blod hem dere bouȝtest
 Wite hem sone vram here fo
 For hem þou þoledest pine ant wo C.M. 20240.
 Þo marie hadde maked hire bone
 Hire frend hue let clepie wel sone S.A. 180.
 105 Ant hure kunesmen also
 Wiȝ reuful steuene hue spak hem to
 Ant seide to hem mi leue sone C.M. 20245.
 Nole no lengere þat ich here wone
 He wole þat ich mid him be S.A. 185.
 110 Ant ich ou bidde per charite
 ȝif ich hadde eni þing mis wr̄ouȝt]
 [*Telleȝ hit me, ne heleþ*] et nouȝt C.M. 20250.
 [*Ihc wulle am*] endi ant þat is riȝt [fol. 3v.]

92: *Mancunne*; SA: Gg omits: *dere*; SA: A omits.

93: SA, CM "Sune þu art ful of pite" (*from* SA: Gg).

94: *men*; SA: A man kynne: *bidde*; SA: A *praie*, CM *biseke*.

95: CM inserts "sun" after *þou*.

96: *miȝtte*; SA: Gg wille.

98: SA: Gg "þat þe deucl hem do no qued," SA: A, CM "That þei haue of þe deucl no drede" (*from* SA: A); CM: C "feind" for "deucl".

99-100: SA, CM "þenċ sone þat þu hast hem wroȝt/And þat þu hauest hem dere iboȝt" (*from* SA: Gg), except CM: T, which lacks the couplet, and CM: F, which reverses it: CM: F "& wiȝ þi handis þou ham wroȝt" for line 100.

101-102: SA: Gg reverses this couplet: SA: A lacks it: *Wite hem sone*; SA: Gg *Wite hem wel*, CM *Sun þu kepe þaim* (*from* CM: G).

103-106: SA "þo heo hadde bisoȝt so/Hire frend he clupede hire to/Boþe sibbe & fremde Men/Wiȝ reuful speche heo spak wiȝ hem" (*from* SA: Gg), CM "Quen scho had praid als scho wald/Hir sibmen till hir scho cald/Hir sibmen and hir kinnes-men/wid reuful steuen spack scho þen" (*from* CM: G).

107: SA, CM "And sede leue frend my sone," or variants.

108: *Nole*; SA: A, CM *Wol*.

109: *þat ich*; SA: Gg *ihc wende &*, CM *i cum and*.

110: *Ant ich ou bidde*; SA: A, CM *Where fore I praie* (*from* SA: A).

113: *ant þat is riȝt*; SA: A with my *myȝt*.

- Wel swipe wel ant þat is riȝt S.A. 190.
 115 Þe god þat ȝe me habbez i don
 Iesu þat was on rode i don
 To bringge man fram helle pine C.M. 20255.
 For ȝelde hit ou wan it is time
 Ant bringge ou to þare blisse S.A. 195.
 120 Þat euere schall lest wiȝ oute misse
 Alle hire frend þat were hire bi
 Of þis tiȝing were sori C.M. 20260.
 Ant seyden leuedi hou may þis be
 ȝif þou wendest hou scholle we S.A. 200.
 125 Leuedi þou hast us inserued so
 Allas wou scholle we þe for go
 Swete leuedi wat hastou i þouȝt C.M. 20265.
 Rewe on us ne wend þou nouȝt
 Wiȝ sorowe ant wiȝ michele wo
 130 Schulle we libbe be þou a go
 Þo ansuerede oure leuedi S.A. 205.
 Ant sede to hem þat stode hire bi C.M. 20270.
 Leteȝ be weping ne helpuȝ it nouȝt
 Ant nimet ioiȝe in ȝoure þout

114: SA: Gg "þat my saule ne beo idriȝt," SA: A, CM "þat mi saule haue na plight" (from CM: G), SA: A "vnplyȝt" for "plight".

115-116: SA: A, CM "The good þat ȝe haue doun me/My sone þat was doun on þe tree" (from SA: A).

116: Iesu; SA: Gg Mi sone.

117-118: SA, CM "Man to bigge fram þe ded/ȝelde hit ȝou at ower ned" (from SA: Gg).

119: þare; SA: Gg þat, SA: A his, CM þat ilke.

120: repeats lines 38, 60 supra; SA: Gg "þat eure ilest þar my sone is," SA: A, CM "Ther I schal be & my sone is" (from SA: A).

121: Alle hire frend; SA, CM: C Alle þat, CM: G, T, L(aud) alle that eyur (from CM: L); were SA: Gg stoden.

122: þis; SA: Gg þat, SA: A, CM: C, G suilk: tiȝing; CM: C bodes.

124: SA "Hu schulle we liue wiȝ outen þe" (from SA: Gg), CM: C, G "Hu sal we liue quen þu will fle" (from CM: G), CM: L, T "how schulle we lyf to mysse þe" (from CM: L).

125-126: SA: Gg lacks this couplet.

126: SA: A, CM "Alas how schulle we parte a two" (from SA: A); CM: L, T "þe fro" for "a two."

127: Swete leuedi; SA: Gg, CM: L, T lefdi dere, CM: C, G Leuedi leue: hastou; SA: A is þi.

128: ne wend þou; SA: A, CM departe vs.

129: SA: A, CM "In moche sorwe & in myche wo" (from SA: A).

130: be þou; CM: L, T to part, CM: G part þu: a go; SA: Gg, CM: C, G vs fro, CM: L, T in two.

131: þo; CM: C, G In hi: ansuerede; SA: Gg spak: oure; CM: L, T that good.

132: Ant sede to hem; SA: Gg To hem, SA: A To þat folke, CM: C, G Till þaim, CM: L, T to tho.

133: Sa "Leteȝ beon ower wepinge ne helpeȝ noȝt" (from SA: Gg), SA: A "greding" for "wepinge".

134: nimet; SA Habbep, CM haldis: ioiȝe; SA: A blis.

- 135 Þe wile ich am her w^akez wiz me] [fol. 4r.]
 It doz me god þat ich ou se S.A. 210.
 Ne drede zou nouzt be none weye C.M. 20275.
 Wiz oute pine mi bodi schal deie
 No schal no sorewe mi soule drehche
- 140 For mi sone me wole fechche
 Mi bodi schal no schame pole S.A. 215.
 For iesu was þer of ibore
 He þolede pine him self for me
 Þo he was nailed up on þe tre
- 145 He þat ich bar mi leue sone
 Wole þat god to me come
 Ich here þe postles ware hi be
 Schulle sone come to me
 ÞE wile marie spak to hire kinesman
- 150 Þer com goinde seyn Johan
 He com to speke wiz oure leuedi S.A. 225.
 Ferliche him þouztte he was sori
 Sein iohan ne wiste þer of nouzt
 Þat word þe aungel hadde ibrouzt
- 155 Ant seyde leuedi wat is þe
 Wat bez þuse þat ich here se C.M. 20290.
 [Lef]ledi wat is þe ised [fol. 4v.]
 Me were leuere to be ded S.A. 230.

137-140: SA, CM "Haue 3e na drede bot witt 3e wele/In pine sal i thole na dele/ To me sal cum na pine ne wa/ For mi sun will þat it be sua" (from CM: G); SA: A lacks second couplet, SA: Gg third line "Ne schal no sorez come me to."

141-142: CM "For mi licam his bodi bare/ He will it suffre of na sare" (from CM: G); CM: C, F, L "care" for "sare".

143-144: CM lacks this couplet.

145-146: SA "He þat is almytful kyng/Schal me sende of his geng" (from SA: Gg), CM "He þat i bare þat blisful bird/Sal me send of heuene weird" (from CM: G).

147-148: SA, CM "Iohn and þe apostlis quar þai be/ All þan sal þai cum to me" (from CM: G); SA: A, CM: C "to se" for "to me."

149: SA "þe while he spac þus to þis men" (from SA: Gg), CM "Quilis echo spac þus þat suete woman" (from CM: G).

150: SA, CM "Of al þat þing nuste nozt Ion" (from SA: Gg).

152: he was; SA heo was, CM þai war.

153-154: SA, CM lack this couplet.

155: Ant seyde leuedi; CM: L, T Lady he seid, CM: C, G Ful o grace, leuedi.

156: CM "And þir leuedis þat i here se" (from CM: G), SA: Gg "For my seruise tel hit me" (cf. line 166): bez þuse; SA: A þis folk.

157-158: CM lacks this couplet.

- þan þou haddust eni schame
 160 Ware þoreu ich muste habbe blame
 Ne schal ich neuere bliþe be
 Ar ich wite wat þe be
 Marie wep seyn iohan also
 Trewe loue was be tuine hem tuo
 165 Suede leuedi wat is þe
 For mi seruise tel þou me
 Marie ansuerede wiȝ reuful steuene
 Me com ȝarwile word *vram* heuene
 For mi sone a messager
 170 He nole no leng þat ich be her
 Wite þe for soþe it rewez me
 Þat ich schal de parte fram þe
 Fro þe loue ant þe seruise
 Þat þou me hauest kud in eche wise
 175 Þat þou me hast ifed and lad
 Ant loked me as mi sone þe bad
 Mi sone schal wel ȝelde it þe
 Ich schal him bidde wan ich him se
- S.A. 235.
 C.M. 20300.

 S.A. 240.
 C.M. 20305.

 S.A. 245.
 C.M. 20310.

Toronto.

159-162: CM "Leuedi qui mas tu sli cher/ Ded war me leuer þat i wer/ þan i þe saghe sli semblant mak/ For i sal neuer sli leuedi tak/ Has tu oght hard þat ine can/ Orne or ani oper man/ Ne sal i neuer mar ha blis/ Til i wit leuedi quat tis es" (*from* CM: C); SA: Gg *has first and last couplets of this*, SA: A *has last three*.

163: *Marie*; SA, CM "Vre lefdi."

165: *Suede leuedi*; SA: Gg, CM Lefdi he sede, SA: A Iohan seide ladi: *is*; SM: C, G ailes.

166: *mi seruise*; SA: Gg my loue, SA: A þi sones luoe.

167: *reuful*; SA: Gg Milde.

168: *ȝarwile*; SA: A *omits*, SA: Gg, CM: L, T (while) *er*: *word*; SA: Gg sonde, SA: A bode, CM *tipand*.

169: CM "Mi sun me sent his messagere" (*from* CM: G).

170: *nole no*; CM will noht.

171: *for soþe*; SA: A wel; SA: H(arley) "but y wote that rueth me."

172: SA: A *inserts* Iohan *after* schal: CM "þat i sua sone sal part fra þe" (*from* CM: G).

173: CM: L, T *insert* good *before* seruise.

174: *hauest kud*; SA: H dost, SA: A hast doun: *eche*; SA: H al, CM: L, T many.

175: *lad*; SA: A, CM clad: SA: H "thu hast made me ofte glad."

175-176: CM: C, G *reverse this couplet*.

176: *loked*; SA, CM done.

177: *wel*; SA: H *omits*.

178: *bidde*; SA: H pray, SA: A telle, CM sai.

BIBLIOGRAPHIA GOTICA

A BIBLIOGRAPHY OF WRITINGS ON THE GOTHIC LANGUAGE

FOURTH SUPPLEMENT: ADDITIONS TO THE END OF 1972

Ernst A. Ebbinghaus

THE Fourth Supplement covers a period of seven years (1966-1972), but material that was not available to me at the time of the publication of the Third Supplement (*MedSt.* XXIX [1967], 328 ff.) has been included. Two remarks seem necessary. First, it has become necessary to concentrate more than in the past on publications directly pertinent to the Gothic language. The space for this bibliography is not unlimited, and it is thus impossible to gather here the mass of publications in the field of Germanic and IE grammar. The sections XVI, XX, but also XXI, XXII, and XXIII therefore show fewer entries than one might expect. Second, I should like to mention that I have firmly adhered to the principle to list only such publications that I have seen, or of which I have, usually through the kindness of the respective authors, received sufficient information to assure the accuracy of my entries. There are therefore gaps in this list. Many publications become available to me only a long time after they have appeared; they will be included in later supplements.

I am profoundly grateful to all those who have kindly helped with information, offprints, references. Especially must be mentioned the late Jonas Kazlauskas; Harriet C. Carter for detective work in the local library; and Clark D. Meader who has gathered some of the material and will in the future function as coeditor.

LIST OF ABBREVIATIONS

BZN	Beiträge zur Namenforschung
ClassRev	Classical Review
CP	Classical Philology
EnglHistRev	English Historical Review
GL	General Linguistics
LQ	Language Quarterly
NTS	Norsk tidsskrift for sprogvidenskap
StGerm	Studi Germanici
TLS	Times Literary Supplement
ZDS	Zeitschrift für deutsche Sprache

I. BIBLIOGRAPHY

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II. HISTORY OF GOTHIC PHILOLOGY

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THE CONSTABULARY OF BORDEAUX: THE ACCOUNTS
OF JOHN LUDHAM (1372-73)
AND ROBERT DE WYKFORD (1373-75)

Timothy Runyan

THE documents of which this text is an edition are located in the Public Record Office in London, catalogued under Foreign Accounts, E. 364/ 15 m. 36 (Ludham) and E. 364/ 16 mm. 48-49 (Wykford). Foreign Accounts are those other than the normal accounts for the several counties rendered at the Exchequer by the sheriff, and are the proper repository of the constables' accounts. They were, however, merely tacked on the dorse of the Great Roll of the Exchequer (Pipe Roll) and on the Chancellor's Roll of the year in which the accountant submitted his account for audit — often a date much later than that covered by the account.¹ From about 1224 this was the normal procedure until the process was reformed under Edward II. By that time the amount of work had increased to such a point that to continue to place these accounts on the Pipe Roll was both cumbersome and disorderly. The administrative ordinances which were issued in 1323, 1324 and 1326, called for the separate enrolment of the Foreign Accounts.² The wheels of government often turn very slowly though, and the habit of enrolling such accounts on the Pipe Roll persisted until the 42nd year of Edward III, from which time we can date a really separate and consecutive enrolment of the accounts of the constabulary.³

In preparing this edition, I have followed the methods recommended by the British Records Association,⁴ which are based on the principles that no printed version of a manuscript can supersede the original and that no edition can or should duplicate the paleographical peculiarities of the original. Accordingly, I have aimed above all at making the

¹ P.R.O., *Guide to the Contents of the Public Record Office*, 1 (London, 1963), pp. 72-3, 77-8.

² For the text of these ordinances see Hubert Hall, *The Red Book of the Exchequer*, Rolls Series, N^o. 99, 3 parts, 3 (London, 1897), pp. 848-970, and especially pp. 851-61, 931-33, for the separate enrolment of Foreign Accounts.

³ P.R.O. List and Indexes II, see the Introduction by H. C. Maxwell-Lyte.

⁴ *Note for the Guidance of Editors of Record Publications* (London, 1946).

manuscript as useful as possible to those who have occasion to consult it. I have modernized personal and place names according to their place of origin and I have extended all abbreviations whenever possible. This has necessitated making a choice between the forms *Burdegala* and *Burdegalensis*. Except for the obvious ecclesiastical usage and unless the manuscript indicates otherwise, I have used the genitive rather than the adjectival form of the proper noun (e.g. *castrum Burdegale*, but *Archiepiscopus Burdegalensis*). As the physical arrangement of the script on the membrane is not of primary importance (except where such considerations materially alter the reading of the text), I have placed all marginalia in capitals at the head of each entry so marked, and have not regularly noted the blank spaces between various sections of the account. Missing or obliterated marginalia have been restored whenever possible by comparison with other constables' accounts and distinguished by brackets or in footnotes.

The only abbreviations in the text arbitrarily adopted are those relating to money values. They have been standardized throughout and underlined, and are as follows: *li.* (pounds), *s.* (shillings), *d.* (pence), *burd.* (burdegalensium), *st.* (sterling), *tur.* (turronensium), *nig.* (nigrorum), *g.* (guineas), *m.* (marcarum).

HISTORICAL BACKGROUND

The coronation of Henry II in 1154 meant not only a new sovereign for England, but a new crown possession as well. By his marriage two years' earlier to Eleanor of Aquitaine he had brought that province (including Gascony) within his holdings. This personal, private fief soon became tightly involved in the affairs of the English people. On the accession of Richard I it became an appanage of the Queen Mother who called upon seneschals to govern the territory. Under King John the tie of vassalage was broken by the confiscation of John's fiefs in France (1202). This rupture was healed by the Treaty of Paris in 1259, perhaps the most significant event concerning the status of the duchy of Aquitaine for the next two-hundred years.¹

Henry III had journeyed to Bordeaux in 1254 to visit his province and quell the risings against his unpopular seneschal, Simon de Montfort.

¹ G. P. Cuttino, "Historical Revision: The Causes of the Hundred Years War," *Speculum*, 31 (July 1956), 463-77. See also his further views on the war in *English Diplomatic Administration, 1259-1339* (Oxford, 1940; rev. ed. 1971), ch. 1. For the general flow of events throughout this period see the fine *Histoire de Bordeaux* ed. by Charles Higounet, especially vol. 3, Yves Renouard, éd., *Bordeaux sous les rois d'Angleterre* (Bordeaux, 1965), noting books ii, iii, and iv.

Young Prince Edward was put in command and Henry moved north to meet Louis IX, freshly returned from the Crusades. An understanding was arrived at between the two monarchs that was formally sealed by the Treaty of Paris, an agreement that was immediately unpopular in both countries. Henry agreed to renounce his claims to Normandy, Maine, Anjou, Touraine and Poitou, and to hold his possessions in France by liege homage. Louis, in exchange, granted Henry Gascony, Quercy, the Limousin and Perigord plus the areas of the Saintonge and the Agenais should Alphonse of Poitiers die without heirs — as he did in 1271. The French strongly objected to Louis' concessions and were not swayed by his arguments that the king of England was now his vassal.² Regardless of their complaints, it must be acknowledged that the war with England had not gained Gascony for the French, but that this stroke of the pen did place the duchy within the political sphere of the king of France.

The period from the Treaty of Paris to the outbreak of the Hundred Years War in 1337 was mainly a game of tug-of-war over the perimeters of the Aquitanian fief. French officials were always ready to steal a little territory from the ill-defined boundaries. This was understandable since the matter of Gascon sovereignty remained an open question and supposed Anglo-Gascon lords were even appealing cases to the French *parlement* in preference to the English legal establishment. Gascon feudal relationships became an almost unsolvable puzzle. Hostilities erupted in 1323 when the English sacked a *bastide* (fortified town) initiating the War of Saint-Sardos.³ Continued antagonism, the question of homage and the rapid turnover in French monarchs culminating in the Valois succession, brought the problems to a head and the beginning of that longest of wars.⁴

The English early gained the upper hand with the new fighting methods which were replacing the techniques of traditional feudal warfare. Following the 1356 victory of Poitiers, Edward III and his sons were on the verge of great conquests in northern France, but stalled and were forced to settle for the Treaty of Brétigny (1360). This

2 "I give these lands to the King of England in order that there may be love between our children and his. And it seems to me that I am making good use of the property which I gave him, for he was never truly my man in the past and now he is to do homage to me." Address of Louis to his barons, cited in Lodge, *Gascony Under English Rule*, p. 44.

3 Pierre Chaplais, ed., *The War of Saint-Sardos (1323-1325): Gascon Correspondence and Diplomatic Documents*, Camden Third Series, 87, (London, 1954).

4 Cuttino, "Historical Revision," 463-67. For a detailed discussion of the legal status of Aquitaine see P. Chaplais, "English Arguments Concerning the feudal status of Aquitaine in the Fourteenth Century," *Bulletin of the Institute of Historical Research*, 21, (1946-48), 203-13.

agreement arranged for the release of the captured King John II of France (whose gain was perhaps in reality a loss for the French); but more importantly it established firmer political divisions between the feuding kingdoms. Edward renounced his claim to the crown of France and John his claims to the previously ceded territories in the south. French violations in the transfer of territory and the ransoming of the nobility brought English protests which resulted in John II's return to London as prisoner.⁵ After this settlement of 1369, the limits of English rule extended throughout Gascony, Poitou, the Agenais, the Limousin, Quercy, Rouergue, Perigord, Bigorre, the Angoumois and the county of Gaure.

Following the reopening of hostilities in 1369, we begin to see new developments in the English holdings. Edward, the Black Prince, was granted the province of Aquitaine as his own fief in 1362. Because he circumvented the normal procedure of registering accounts in England, and since the Prince's Gascon register was lost, the sources are not as complete as for the periods immediately before and after his rule. Evidence though still abounds to tell us of the trials of this reign. From his first acts of 1362 and the establishment of a lavish court supported by heavy taxes, the Black Prince's rule was one of favoritism for the few (mostly English) and hardship for the many (mostly Gascons). His use of the *fouage* (hearth tax) cost him his initial popularity, and his use of this tax to pay his expenses for campaigns in Spain brought protest and open revolt in 1368-69. Many Gascon lords appealed to Paris and refused to pay this unwarranted levy.⁶ With his design in Spain thwarted and dreams of an empire washed away by constant reverses, Edward III took back his ailing son's principality in 1372.

Apart from the problems caused by the Black Prince, there was a new and wiser king of France. Charles V succeeded John in 1364 and brought with him a new program for winning the war. Longman, the Victorian biographer of Edward III, described him as: "That mysterious man who never took the field of battle himself, nor allowed his armies to fight if he could help it; but who, by dint of masterly inactivity contrived that his enemies should wear themselves out by their own exertions..."⁷ The French began to retake lands recently won by

5 Pierre Chaplais, ed., "Some Documents Regarding the Fulfillment and Interpretation of the Treaty of Brétigny, 1361-1369," *Camden Miscellany*, Camden Third Series, 19, (London, 1952) and see his "Règlement des conflits internationaux franco-anglais au xiv^e siècle (1293-1377)," *Le Moyen Age*, 57, (1951), 269-302.

6 For details on the Prince's rule in Gascony and on the *fouage* see Roland Delachenal, *Histoire de Charles V*, 5 vols. (Paris, 1909-31), IV, 56-104.

7 William Longman, *The History of the Life and Times of Edward the Third*, 2, (London, 1869), 222.

the English under the military leadership of the dukes of Berry and Anjou, and the free-lancing Bertrand Du Guesclin. In 1372 the Castilians won a naval engagement off La Rochelle which prompted a good deal of English activity. Edward III spared little effort in raising a large army and fleet to avenge the loss, but his attempts to cross the Channel were denied by contrary winds. In October he abandoned the expedition as La Rochelle had surrendered and his expenditures of money and effort got him no further than the south coast of England.⁸ Besides the town, Edward lost the services of an important Gascon lord, the Captal de Buch, who was captured and taken to Paris where he died. In May 1373 the French besieged Brest and in June, Louis of Anjou was sweeping the flanks of Gascony. John of Gaunt then attempted to retaliate by ravaging the French countryside with a march from Calais to Bordeaux (June-December 1373), but this careless *chevauchée* resulted in the loss of over one-half of his men and allowed the French to take Angoumois, the Saintonge and parts of Brittany.⁹ Mouzevin, Lourdes and Moissac were assaulted with the latter falling in May 1374. In the spring of 1374 a short truce was made between Gaunt and Du Guesclin which was to expire on 21 May. Fighting reopened in the Bas-Limousin under Louis of Bourbon and at the beginning of August Anjou headed out from Toulouse with the capture of La Reole in mind, which came at the end of the month (the town fell the 28th, the castle on 15 September). In December Becherel was captured. It was with much relief that the English managed a truce for two years to rebuild their depleted finances and resources. John of Gaunt was the representative who arranged the limits of the peace. The meetings at Bruges opened with an anticipation by the English of good terms and an honorable settlement. Gaunt again failed; a failure in peace as well as war. The negotiations took three months, with the agreement signed on 27 June 1375.¹⁰ The truce, unfortunately, established different dates for the armistice in various locations. Fighting was to stop in Gascony on 22 July and with Castile on 2 August. This discrepancy allowed the Castilians to win a major naval engagement. A fleet of unarmed merchantmen, some of whom probably took part in the recent crossing from England to deliver the seneschal, Thomas Felton, and the mayor of Bayonne,

8 James W. Sherborne, "The Battle of La Rochelle and the War at Sea, 1372-75," *B.I.H.R.* 42, (May, 1969), 22-5. The whole of this fine article is an important reappraisal of this period.

9 Brest was relieved by William, earl of Salisbury, commander of the Channel Fleet. *Froissart* (ed. Luce), VIII, CLX-CLXIII, 133-4, 142-6.

10 E. Perroy, "The Anglo-French Negotiation at Bruges, 1374-77," *Camden Miscellany*, 16, Camden Third Series, 19 (1952).

William Elmham, called at Bourgneuf Bay to pick up salt for the return voyage. On 10 August a large Castilian fleet attacked them destroying or taking 37 vessels and their cargoes at an estimated value of £17,739.¹¹ Ignorance of the various truce dates was a convenient alibi.

The peace continued, however, and only ended with the death of Edward III on 21 June 1377. Fighting resumed as it had before the truce as the French made a fast sweep of the outskirts of the duchy and then moved toward Bordeaux itself. By the accession of Richard II the English possessions were reduced to only the Bordelais, Dax, Bayonne and the French Pays Basque. Such was the condition of Gascony during the constabularies of Ludham and Wylford.

THE CONSTABULARY

Gascony presented itself to the English as both an object of great value and a liability. The administration of a province beyond her native borders was as difficult a task for the English in the latter fourteenth century as in more modern times. Dr. Chaplais has likened the English administration in Gascony to that of Ireland, but with important reservations.¹² Ireland is a geographical entity within herself, while Gascony is contiguous to the kingdom of France. Legally, the judicial decisions of the king as lord of Ireland were final, whereas those he rendered as the Duke of Guyenne were subject to review by the *Parlement* at Paris and the king of France. Thus, there was a finality and an omnipotence in the actions regarding a subject of Ireland that had no corollary in Gascony. Predicated on this condition, the English administration in Gascony was often of a shallow and tenuous nature, acting with uncertainty regarding its limits of authority.

The history of the English governance of Gascony properly begins in 1289 when by ordinance of this year Edward I reorganized the local administration along lines designed to parallel that of England.¹³ A

11 *Rot. Parl.*, II, 346; N. H. Nicolas, *The Royal Navy*, II, 153, 510-13; and see Sherborne, "Battle of La Rochelle," 28 and his "Indentured Retinues and English Expeditions to France, 1369-1380," *E.H.R.*, 79 (October, 1964), 718-46. For a good discussion of the war later, see M. G. A. Vale, *English Gascony, 1399-1453* (Oxford, 1970), and for the present see ch. 1.

12 Chaplais, "The Chancery of Guyenne," 61-65.

13 The text of the ordinance may be found in British Museum Cotton, MS., Julius E. 1, fos. 155 r.-157 v. and will be n^o. 35 (1, 2-3) in the edition to be produced by G. P. Cuttino (and until his death J. P. Trabut-Cussac). On early Gascon administration, see Trabut-Cussac, *L'Administration anglaise en Gascogne sous Henry III et Edouard I de 1254 à 1307* (Geneva, 1972) and his "Actes gascons dispersés émanant d'Edouard I^{er} d'Angleterre pendant son séjour en France, 1286-1289," *Bull. philol. et hist. du Comité des Travaux Scientifiques* (1962), 63-139, note n^{os}. 58-9.

seneschal represented the position of the king, while the constable of Bordeaux corresponded to the treasurer. Basically, the tendency was to concentrate all administrative power in the hands of one official, the seneschal.¹⁴ The act of 1289 was issued with an eye to circumventing the appeals by Gascons to the *Parlement* of Paris. The seneschal was henceforth to appoint most Gascon officials by his own seal and in his own name, a procedure that would remove the king of England from direct responsibility as duke for the actions of the local administration. Further recognition of the seneschal's control were his positions as presiding officer of the Court of Gascony and the Council of Gascony. The king did, however, retain financial responsibility for the duchy by his reservation of the appointment of constable. Actually this whole system was merely a guise to deceive the king of France and was continued in the Ordinance of Pontefract (8 February 1323) which enlarged and repeated the earlier changes of 1289.¹⁴ But while the seneschal did, in fact, have a great degree of power, the king often violated his own ordinance by the appointment of royal lieutenants to command the duchy. When this occurred the seneschal's powers were eclipsed according to the desires and abilities of the lieutenants.¹⁵

Since Bordeaux was early established as the administrative capital of the duchy it was natural for the constable of Bordeaux to emerge as the chief financial minister. At the Ombrière he received the ducal revenues and issued payments from the Gascon Exchequer, which had its inception in 1255. The constable's duties may be summarized as: (1) collecting revenue, (2) dispensing funds by warrant of the king, king's lieutenant or on the advice of the seneschal and council, (3) receiving and viewing the accounts of the lesser officials in the duchy, (4) accounting yearly at the Gascon Exchequer and the royal Exchequer at Westminster,¹⁶ (5) performing other miscellaneous duties such as managing supplies and victuals, supervising coinage and overseeing the general upkeep of the king's castles and fortresses throughout the duchy.¹⁷ The broad scope of these tasks required an administrative staff

14 P.R.O., Gascon Rolls, C. 61/35 m. 10; *Foedera*, II, i, 505-06.

15 For the problems of the seneschal's powers under royal lieutenants as well as under the Principality see Chaplais, "Chancery of Guyenne," 68; Yves Renouard, "Les Institutions du duché d'Aquitaine (des origines à 1453)," *Histoire des Institutions Françaises au Moyen Age*, ed. Lot and Fawtier, 1 (Paris, 1957) 175 and Trabut-Cussac, *L'Administration anglaise*, 289 ff.

16 *Rot. Parl.*, I, 98. This was not strictly adhered to.

17 J. R. Robertson, Jr. "The Accounts of Richard Rotour, Constable of Bordeaux (1375-1379) and William Lorying, Constable of Bordeaux (1379-1381)," unpublished M. A. thesis" Emory University, 1960, p. xi.

of collectors and receivers working with the châtelains, prévôts and baillis of the localities. The receivers were his appointees, for whom he was "to answer for at his peril."¹⁸ Included also was a lieutenant who acted as the constable's substitute in his absence.

Little is known of these lesser officials of the constabulary, particularly during the Black Prince's rule since his register for Gascony is lost. But in surveying the work of these officers there is one peculiarity pointed out by Miss Lodge:

It seems rather strange that these lieutenants never appear to have been promoted to the actual office (i.e. of constable), though in many cases they were important and useful people.¹⁹

Aside from his financial responsibility mentioned above the constable was also called upon as a councillor and was a regular member of the Court of Sovereignty after 1373. During wartime he was in charge of the Gascon fleet and held the rank of vice-admiral. He also stood as commercial authority for shipping and during peacetime he could be, and often was, called upon to go on embassies or travel as the king's representative, employing his varied and perhaps versatile background to the royal advantage.

Next to the constable the most important fiscal officer of the duchy was the controller. Working in the Ombrière, he kept an exact duplicate (counter-roll) of the constable's records, as well as the customs books, both of which were transported to England for accounting as a check on the constable's expenses. He was presumably next to the constable in importance and usually received his office by appointment of the king in the fourteenth century. Holding such a close position to the financial nerve center, he must have had an intimate acquaintance with the whole system and certainly the constable's duties. His salary was normally half the constable's or 2 *s. st.* per day with 8 *li. st.* for robes. In sum, the controller served as the watch-dog for general financial affairs and helped keep things running smoothly, somewhat like a chamberlain to the treasurer of the Exchequer or controller of the Wardrobe. Also assisting in the operation was a *memorandarius* who was to guard the castle archives and to receive a wage of 1 *s. st.* per day.²⁰

¹⁸ Eleanor Lodge, "The Constables of Bordeaux in the Reign of Edward III," *E.H.R.*, 50 (April-July, 1935), 225.

¹⁹ *Ibid.*, 239. For the early period Trabut-Cussac has uncovered much information on these civil servants: *L'Administration anglaise*, 227 ff.

²⁰ Lodge, "Constables of Bordeaux," 240; Robertson, "Rotour and Loryng," p. xii. For the controller and others see Trabut-Cussac, *L'Administration anglaise*, 298 ff.

PERSONNEL

John Ludham

Herod was eaten alive by worms; and the Roman Empire was bled to death, so some say, by an excess of bureaucrats;....²¹

Information on personalities in the Middle Ages is often difficult to obtain; the career of John Ludham fits this unfortunate circumstance. He is easily confused with other "John de Loudhams" of fair prominence in Nottingham and the county of Norfolk who frequently appear in the Patent Rolls.²² Allowing for the possibility of confusion among "Loudhams", it can be fairly well ascertained that John Ludham early served in the Black Prince's household as a clerk. The prince petitioned the Pope on his behalf for the attainment of prebends in Lincoln and Chichester,²³ as well as a benefice with cure of souls at Peterborough.²⁴ He is mentioned as serving Sir Nicholas Leveigne, knight, in 1362.²⁵ Again in the service of the Prince, he was acting as his receiver at La Rochelle on 26 October, 1364.²⁶ Mention of his service overseas first appears in the year 1361, when he was allowed to name attorneys to act in his absence.²⁷ The last reference to him before he assumed the constabulary of Bordeaux appears to be a reference to him as canon of St. Paul's, London, where he received a grant of 100 *li.* in April 1372.²⁸

It is in 1372 that the events of Ludham's life begin to come into clearer focus. I conjecture that he served in or about La Rochelle from 1364, on the basis of the information already presented and the fact that his commission as constable of Bordeaux was said to have been issued at La Rochelle under the Black Prince's great seal on 25 April, 1372.²⁹

21 Sir John Craig, *A History of Red Tape: An Account of the Origin and Development of the Civil Service* (London, 1955), p. 1.

22 *C.P.R.* (1358-61), p. 274; *Ibid.*, (1361-64), pp. 219, 272, 289, 315, 417, 519; *Ibid.*, (1364-67), p. 431; *Ibid.*, (1367-70), pp. 102, 185; *Ibid.*, (1370-74), pp. 239, 361; *Ibid.*, (1374-77), p. 460; *Ibid.*, (1377-81), p. 472; *Ibid.*, (1385-89), p. 406. See A. B. Emden, *Biographical Register ... of Oxford*, 1173.

23 *Cal. Pap. Reg. Petitions*, pp. 323, 381. Both grants dated 3 Id. December 1361.

24 *Ibid.*, p. 392. In 1366, Joan, princess of Aquitaine, twice requested augmentation of the grant of Peterborough (*Ibid.*, pp. 522, 525).

25 P.R.O., Exchequer Records, *The Register of Edward the Black Prince*, 4 Parts (London, 1930-33), IV, 476.

26 *C.P.R.* (1364-67), p. 32.

27 *C.P.R.* (1361-64), p. 36.

28 *C.C.R.* (1369-74), p. 429.

29 Tout, *Chapters*, VI, 71; Chaplais, "Chancery of Guyenne," 88, n. 3. Chaplais also notes that this was probably the last letter sealed by the Black Prince's great seal of Aquitaine. Power of general attorney for one year was granted on 16 May, 1372 (C. 61/85, m. 4).

There is a peculiarity, however, in the "constabulary" of Ludham which needs explaining. His appointment appears to address him as constable, though his actual position was not that of constable of Bordeaux, but treasurer of Aquitaine.³⁰ Under the Principality, a series of treasurers was established after 1366.³¹ Since Ludham remained in office after the Black Prince had resigned the lordship of Aquitaine, he was no longer the Black Prince's treasurer; but on the other hand he was not, strictly speaking, the king's constable. This predicament of administrative procedure is partially revealed and circumvented by references to him as *regenti officii constabularii*.³² In short, he served after the surrender of the Principality only until the new constable could arrive to replace him.

His final account is for the period 5 October, 1372 through 20 August, 1373³³ and was entered upon the Foreign Accounts Roll for 4 Richard II.³⁴ It is not exactly certain what Ludham did after he left office, as the information on his life abruptly ends. It appears that he journeyed toward Rome soon after leaving office in the capacity of ambassador of king Edward, and was detained by the king of France, perhaps permanently.³⁵

Robert de Wykford

Robert de Wykford was the first constable of Bordeaux appointed by Edward III after he had reassumed possession of Aquitaine. He was said to have been of the family of Wickford Hall, Essex, and is known to have been a fellow of Merton College, Oxford, as well as a Doctor of Laws.³⁶ He was addressed as Master of Arts, scholar of Canon Law

30 For reference to Ludham as *thesaurarius*, see below p. 23 ff. (start of Wykford's account), also cited as *thesaurarius et constabularius* and cited as "Constable of Bordeaux" in Chaplais, "Chancery of Guyenne," p. 88, n. 3. He is referred to in his particulars as clerk, treasurer of Aquitaine occupying the office of constable of Bordeaux. (E. 101/179/8 m. 1). For a list of constables see Tout, *Chapters*, VI, pp. 68-71 (Henry III-Richard II) and Lodge, "Constables of Bordeaux," 341.

31 John Harwell had been the Prince's first constable (1362-66), and was succeeded by Alexander Dalby who died in office in 1368. From here the work was done by a series of treasurers (Alan Stokes, John de Carleton, John Ludham) until the king once more took over the duchy and appointed Robert Wykford in 1373; The office of constable earned 4 s. st. per day and Ludham was paid this sum. (see Lodge, *ibid.*, 235; and below, p. 27).

32 See below, p. 41.

33 Tout, *Chapters*, VI, 71. E. 101/179/7 (3 mm. much of which is faded and illegible. E. 101/179/8 (16 mm. r-v, for 46-7 Edward III).

34 E. 364/16 mm. 48-9.

35 *Cal. Pap. Reg.* (1362-1404), pp. 125-26. This is a request by the pope to the king of France (dated 7 Kal. September, 1373) to release several men held in Dauphine. While two of those mentioned were given safe conducts, no mention was made concerning Ludham.

36 *D.N.B.*, XXI, 200. See Emden, *Biographical Register ... Oxford*, III, 2045-6.

when he received a canonry at Exeter, though already holding a church in the diocese of Winchester valued at 18 marks.³⁷ In 1363 he was the recipient of a prebend in Lincoln.³⁸ Besides receiving these clerical preferments, he exercised his legal training as early as 1367 in settling a dispute between two chaplains quarreling over a chantry.³⁹ In 1368 Wykford was awarded a prebend in the collegiate church of Shaftesbury⁴⁰ and within two weeks was appointed ambassador of King Edward to treat with Pope Urban V for an alliance "temporary or perpetual ... by marriage, or otherwise."⁴¹ He is referred to in this order as the "Archdeacon of Winchester," an appointment of which no record seems to exist. He was awarded the prebend of North Newbald (Yorks) in 1370⁴² and in the same year made an official visitation to St. Giles-without-Holborn.⁴³

On 18 May, 1370, he was sent to deal with Wincelous, Duke of Brabant and Lorraine, concerning the pay of troops used in the war against France.⁴⁴ Again, in July 1371 he was envoy to Flanders "to treat with the commonalties of Flanders for the redress of injuries."⁴⁵ Wykford requested the pardon of a man for murder in 1373 which perhaps indicates the fact that he continued legal practice.⁴⁶ In the same year he is mentioned as the late Lord of Werpesdon.⁴⁷

The constabulary of Bordeaux was granted to him on 7 March, 1373.⁴⁸ Along with his appointment he was empowered to hear appeals (*querelas*) as a member of the Court of Sovereignty.⁴⁹ His actual duties as constable began on 29 August, 1373⁵⁰ and he was replaced by the appointment of Richard Rotour on 16 April, 1375, though he remained in office and was accountable until 23 July, 1375.⁵¹ On 12 October of the

37 *Cal. Pap. Reg.* (1342-62), p. 519.

38 *C.P.R.* (1361-64), p. 323.

39 *C.P.R.* (1364-67), pp. 445, 446.

40 Granted prebend of Luddington, *C.P.R.* (1367-70), p. 170.

41 Commission with clause *volumus* and protection "till Midsummer next." *C.P.R.* (1367-70), pp. 175, 183; *Foedera*, III, ii, 853.

42 *C.P.R.* (1367-70), p. 450.

43 *C.P.R.* (1370-74), p. 15.

44 *C.P.R.* (1367-70), p. 406; *Foedera*, III, ii, 892.

45 *Foedera*, III, ii, 892, 920-22; Leon Mirot and E. Deprez, "Les Ambassades Anglaises pendant la guerre de Cent Ans: catalogue chronologique, 1327-1450" *Bibliothèque de l'École des Chartes*, 59-61 (1898-1900), Nos. ccxii, ccxiii, ccxvii. See the particulars for this journey, E. 101/316/10.

46 *C.P.R.* (1370-74), p. 267.

47 *C.P.R.* (1370-74), p. 387.

48 C. 61/86, m. 7, which also records letters of attorney given 10 March; *Foedera*, III, ii, 972; letters of protection were issued 16 April (C. 61/86, m. 2).

49 *Foedera*, III, ii, 974; C. 61/86, m. 3.

50 See below, p. 23.

51 See C. 61/88, m. 6. For the particulars, E. 101/179/14, 26 mm. r.-v., (47-49 Edward III); for the account book relating to customs. E. 101/180/2, 43 mm. r.-v. covering 28 Oct. 1374 to 27 June 1375.

same year he was elevated to the archiepiscopal see of Dublin⁵² and became Chancellor of all Ireland the following July.⁵³

Wykford appears to have gotten into some difficulty as constable as evidenced by a mandate from the king to the seneschal and others to "desist from executing the sentence of Sir Guy de Brian and Edmund Mortimer, Earl of March, Marshal of England, against Robert de Wykford, late constable."⁵⁴ It is not certain just exactly what the nature of the case was and I have not found it mentioned again.

In another instance (16 July 1375) a letter was issued from the king to the treasurer and barons of the Exchequer, ordering them to "stay their demands on him," which were beyond those rendered in his account.⁵⁵ At the same time an order was addressed to the Exchequer allowing "all payments and liveries by him for artillery ... after the said King of Castile took passage toward England, as he made divers such payments to divers persons, as the king has learned."⁵⁶ Nine days later notification was made to the treasurer and barons of the Exchequer that Wykford's expenditures for "bows, arrows and bowstrings," delivered to Thomas de Melbourne, treasurer of the Duke of Brittany, for the defense of Brest castle, were justified.⁵⁷ Our information ends here, and so we must arrive at a premature conclusion. Evidence points towards his complete absolution from the charges against him. The apparent support of the king and his future royal preferments serve to support this contention.

Robert Wykford's appointment as Chancellor of Ireland was confirmed on the accession of Richard II,⁵⁸ but he appears to have left office for an undetermined time between 1377 and 1384, being reappointed in the latter year.⁵⁹ He left office again before 27 March, 1385, and died 28 August, 1390.⁶⁰ One tradition has it that he willed altar-cloths for the high altar to Merton College, though these may have been table coverings for the college dining hall.⁶¹

⁵² *D.N.B.*, XXI, 200; he received his temporalities on 20 January 1376 (*Foedera*, III, ii, 1047); references to him as archbishop, C. 61/89, m. 5; *Cal. Pap. Reg.* (1362-1404), pp. 156, 161, 216 and also 224 which records his vacation of Sydebury farm. "Which on account of the great distance from his benefices of the places belonging thereto and the great malice of the people, he can hardly derive any benefit."

⁵³ *Foedera*, III, ii, 1057; *C.P.R.* (1374-77), pp. 300-301.

⁵⁴ *Foedera*, III, ii, 1030, dated 26 June 1375.

⁵⁵ *C.C.R.* (1374-77), p. 385.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ *Foedera*, IV, 20; *C.P.R.* (1377-81), p. 27.

⁵⁹ *C.P.R.* (1381-85), p. 455, appointed 10 September 1384.

⁶⁰ *D.N.B.* XXI, p. 200.

⁶¹ *Ibid.*

ANALYSIS

In compiling the financial charts for Ludham and Wykford I have rounded off all sums to the nearest whole pound in computing what percentage each item of income or expenditure constitutes of the whole. For the purposes of this compilation the loss in accuracy is not of such an amount as to distort the total analysis. The idea is to show the relative value of each of the classes of income and expenditure, so as to permit a more detailed comparison between the two accounts. All sums are given in current money of the duchy, *li. burd. nig.*

Both accounts break down neatly into two distinct parts. The first lists all receipts or income and the second expenditures. At the end of the account a balance is struck between the two. One must bear in mind the method of rendering accounts at the Exchequer in order to understand the meaning of the amounts given. The total of receipts represents the money for which the constable was accountable to the king. Against this on the counting board was the set sum of the expenditures, which represent the allowances made to the constable against his receipts. As the various vouchers, warrants and letters of receipt were presented, counters were removed, penny for penny, from both sides of the board. If anything remained of the sum for which he was answerable, this meant that he had not spent all of the money allotted him, and was, therefore, in the "black." On the account this is recorded as *debet respondere*, an amount for which he was still accountable, and thus "ought to respond." Conversely, if any counters remained on the expense side of the board, the sum was recorded as *et habet superplusagium*, "he has overspent" and he was, thus, in the "red" or that money was still owing to the accountant. After the final reckoning came the inventory of objects within the *Ombrière* for which the constable was responsible. This list did not involve any transfers of money and, thus, was not a factor in the balancing of the account. At the end came any separate accounts rendered that were beyond the scope of the particular constable's account, but for which he was responsible in his books. For instance, the end of Wykford's account records a rendering of arms to Thomas Melbourne for the defense of Brest castle which is listed as a separate entry.

The revenues due the king from Gascony were essentially of two sorts: (1) Those revenues that he perceived as feudal and demesnal lord included the profits from various manors and boroughs, fixed rents within certain towns, the income from various prévôtés and baillages, and revenue from the rights of escheat, wardship and

TABLE 1
FINANCIAL ANALYSIS OF LUDHAM'S ACCOUNT

	<i>li. : s. : d.</i>	Percentage
Receipts :		
Fixed rents	317 : 8 : 6	3.34 %
Income from baillages, prévôtés, etc.	813 : 0 : 0	8.56 %
Condemnations of the court of Gascony	50 : 0 : 0	0.53 %
Customs on wine	7,626 : 4 : 7	80.32 %
Gauge of wines	192 : 5 : 5	2.02 %
Wages or deposits	54 : 0 : 0	0.57 %
Keelage	20 : 0 : 0	0.21 %
Custom on honey	26 : 10 : 2-1/2	0.28 %
Wine custom of Libourne	65 : 15 : 0	0.68 %
Gauges of wine (Libourne)	0 : 53 : 11-1/2	0.03 %
Keelage (Libourne)	0 : 10 : 0	0.01 %
Tenth on French wines.	32 : 10 : 0	0.34 %
Receipts of two-week sales tax in Bordeaux	195 : 0 : 0	2.05 %
<i>Total income</i>	9,494 : 17 : 8	
Expenses :		
Fees, wages and expenses of ministers ..	4,516 : 4 : 7	48.80 %
Chapel expenses	43 : 8 : 8	0.46 %
Castle repairs	15 : 3 : 4	0.16 %
Expense of messengers.	64 : 17 : 6	0.70 %
Grants to various persons (mostly annual gifts)	4,596 : 4 : 11-1/2	49.67 %
Unaccounted	19 : 0 : 10	0.21 %
<i>Total expenses</i>	9,254 : 19 : 1/2	
<i>Credit Balance</i> :	239 : 18 : 7-1/2	

relief. (2) Those revenues that he perceived as head of state (sovereign) embraced the various customs, the profits from royal justice, the emoluments of seals, profits from the confiscation of the holdings of rebels and their sale, and income from various grants made by the towns.

The income from feudal rights is small in both Ludham's and Wykford's accounts, probably best explained by the events of the war and the changing nature of feudalism itself. The period from 1372 through the next three years witnessed steady English losses and a constant shrinking of the English possessions in France. With conditions as they

TABLE 2
FINANCIAL ANALYSIS OF WYKFORD'S ACCOUNT

	li. : s. : d.	Percentage
Receipts :		
Fixed rents	786 : 12 : 4	1.89%
Income from baillages, prévôtes, etc.	5,348 : 0 : 0	12.66%
Great custom of wine and honey	10,374 : 15 : 3	24.56%
Small custom (keelage honey, Royan)	591 : 7 : 3-1/2	1.40%
Custom of Libourne (wine, gauging, keelage, honey)	180 : 9 : 4-1/2	0.43%
Toll on travelers	15 : 0 : 3	0.04%
Sale and resale of items	177 : 19 : 3	0.42%
Forfeitures of goods of rebels	1,527 : 15 : 0	3.62%
Fines, condemnations and perquisites	799 : 0 : 0	1.89%
Payments from Exchequer at Westminster	17,125 : 5 : 7-1/2	40.53%
Payment by Ludham	145 : 0 : 0	0.35%
Additional receipts	5,174 : 13 : 3	12.25%
<i>Total income</i>	<i>42,245 : 17 : 7-1/2</i>	
Expenses :		
For the chapel of the <i>Umbraria</i>	114 : 0 : 16	0.27%
Fees, wages and expenses of ministers	4,011 : 12 : 11	9.46%
Expense of messengers	489 : 18 : 0	1.16%
Necessary expenses (for buying paper, etc.	420 : 6 : 9	0.99%
Castle repairs	272 : 5 : 9	0.62%
Defense of castles and towns	2,596 : 17 : 6	6.13%
Wages of war	29,312 : 1 : 8	69.15%
Grants to various persons (mostly annual gifts)	5,022 : 2 : 7	11.85%
Foreign expenses (military transportation fee here)	150 : 0 : 0	0.35%
<i>Total expenses</i>	<i>42,389 : 6 : 5</i>	
<i>Debit Balance (superplusagium) :</i>	<i>143 : 8 : 10-1/2</i>	

were, it is doubtful that the Gascon fief-holders were concerned about their dues to the king of England, especially since (after 1373) he increased the flow of money into the duchy hoping to keep it out of French hands. Also notice must be taken of certain items for which no revenue was received (thus, not reflected on the above charts), because of prior grant or perhaps losses incurred because of the war. Most of these losses fall under the classification of revenues due the king as sovereign. The figures then appear to tell the story of the conditions of the duchy at this time.

<i>Ludham</i>	
Feudal income	1,230 : 8 : 6	11.90 %
Income from the great custom of wine and honey	7,626 : 4 : 7	80.32 %
Total income as sovereign	8,264 : 9 : 2	87.58 %
<i>Wykford</i>	
Feudal income	6,134 : 12 : 4	14.55 %
Income from the great custom of wine and honey	10,374 : 15 : 3	24.56 %
Total income as sovereign	18,985 : 19 : 8	44.96 %

On careful observation and comparison of the tallies, we can deduce several conclusions. There is no mention of receipts from the Exchequer in England in Ludham's account, while this item amounts to 40.53 % of Wykford's entire revenue. Certainly the Black Prince's surrender of Aquitaine had a major affect on this sum. For the last ten years the duchy was apparently supported through the Prince's devices and not on the basis of regular royal grants. Since Ludham had been the Prince's appointee it is somewhat understandable that no new Exchequer revenues would be sent to Gascony until the king's replacement arrived (although he certainly had other pressing financial demands). Apart from the items in Ludham's account for which there was no revenue because of prior grants or other reasons (a tangible indication of the Black Prince's notorious habit of giving lucrative gifts, most of which were apparently revoked under Wykford), the greatest difference in war income between the two accounts is in the profits from the great custom on wine and honey. The 80.32 % in Ludham's account reflects open seaports and a healthy trading atmosphere. The drop to 24.56 % must have come as somewhat of a shock to the English officials. There is no single explanation for this change, since we cannot blame the naval loss off La Rochelle in 1372 as the prime cause.⁶² The English naval effort after this loss was aggressive enough to allow continued trade and the subsequent customs which it produced. We have more to discover about this matter, but the ultimate answer may well be encompassed within the English government's priorities determined by the manifold financial pressures upon the kingdom.

In the analysis of Ludham's account there is one glaring peculiarity: it doesn't balance! In reviewing the sums of expenditures I have not been

62 Sherborne, "Battle of La Rochelle," 25 ff.

able to come up with the listed summary of expenses — 9,254 *li.* 19 *s.* $\frac{1}{2}$ *d.* My calculation is 19 *li.* less than this figure, and the account gives no clue as to where this might be missing. It is possible that the account could have been falsified with the intent of making a gain. The counter-roll was present to guard against this, and would, unless someone knew that the auditing of the account (probably done at Bordeaux and Westminster) was to be a brief check of only the final tallies. There is the possibility of mistake, always present in matters of this sort, but the accounts were audited so the error must have been made at least twice. Then there is the possibility that in the rapidity of every-day work the figures were just hurried over, the sum of expenses from the sum of receipts totaled correctly (in this case showing a credit balance) and the matter was dismissed. I tend to prefer the latter possibility. The constable took his records with him to the final auditing of accounts and the counter-roll of the controller was there as well. To present an unbalanced account with the existence of a system of checks and balances to detect such obvious errors, appears to me to be extremely naive. The 19 *li.* of current Bordeaux money might have been gladly received by many, but with the constable's wage at 4 *s. st.* per day (1 *li.* 10 *s.* current Bordeaux money) this does not appear likely. The risk was too large and the gain too small.

Another irregularity in Ludham's account which heightens the difficulty is the fact that he gives no marginal headings to itemize the expenses or receipts. Lacking these headings, the totals are lumped together in long paragraphs. This would make one reconsider the missing 19 *li.* were it not for the fact that this account was so short that it could be gone over relatively easy and did not need the extensive itemizing that Wykford's did.

Lacking the headings in Ludham's account also makes it difficult to draw much of an analogy from the comparison of grants between the two accounts. By combining everything which appears to fit this category, one arrives at a total of 4,596 *li.* 4 *s.* 11 $\frac{1}{2}$ *d.* for Ludham (representing 49.67% of total expenses) and 5,022 *li.* 2 *s.* 7 *d.* for Wykford (representing 11.85% of total expenses). This figure is a little deceiving because of the lack of itemization in Ludham's account, but is a relatively true picture of the ratio of this type of expenditure between the two periods. Again, we must recall the Black Prince's spending habits. Edward III continued to make grants, but mostly in different forms (that is, wages of war, military fees, etc.).

In connection with the major economic difficulties incurred because of war, there are certain other extramilitary considerations which

should be pointed out also. The plague had been hitting Europe ever since 1348 and was back in the 1370's. A particularly severe attack which came in 1373 on top of the military ravagings and the poor harvest of that year, caused famine throughout the Bordelais. In 1375, England suffered her fourth such attack, though milder than the pestilence of 1368-69. The consequences of these attacks must be considered as important factors in the total receipts reflected in the constables' accounts for this period. It is impossible to calculate the impact of the visitations on the figures at hand, but possible comparisons with other constables' accounts might give such a clue.

In summation, it is important to mention the use of money and the relationship of it to the political and military history of Gascony. Wars cost money, a well known fact at any point in history. How much often depends on a contestant's willingness and desire to pay in order to win. In the present case we can see that the English were not getting out of their investment an amount equal to what they were putting in. The deficit in Wykford's account, coupled with the increase of expenditures placed on the receipt ledger from the English Exchequer, is representative of money poured down the drain. The total customs and other normal revenues could not begin to equal the amount of expenditures. When it is remembered that more lands and Gascon lords were to be lost to the French in the next few years, one can see that the trend of finances was consistently on the down-grade. In this light, it is easier to understand the desires of Edward III and his council for peace in 1375.

In the preparation of this work I have been assisted by three persons who deserve special mention. Dr. J. Righton Robertson of the University of Maryland is the person to whom I owe the most for his help and encouragement with the editing and in understanding the problems of the constabulary while a student. Mr. James Sherborne of Bristol University is a good friend and made helpful suggestions for the improvement of the manuscript. Dr. Seymour Phillips of University College, Dublin, helped me with some of the textual problems. Of course, I am solely responsible for the errors which remain and the views expressed herein. A final debt, gratefully acknowledged, is to Cleveland State University and the American Philosophical Society for grants which allowed my travel to Europe for research in the spring and summer of 1973.

ABBREVIATIONS

The following abbreviated forms of titles frequently cited in the notes have been used throughout this work.

<i>A.H.G.</i>	<i>Archives historiques du Département de la Gironde.</i>
<i>A.M.B.</i>	<i>Archives municipales de Bordeaux.</i>
<i>C. Chart. R.</i>	<i>Calendar of the Charter Rolls.</i>
<i>C.C.R.</i>	<i>Calendar of the Close Rolls.</i>
<i>C.F.R.</i>	<i>Calendar of the Fine Rolls.</i>
<i>Cal. Pap. Reg.</i>	<i>Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland: Letters.</i>
<i>Cal. Pap. Reg. Petitions.</i>	<i>Calendar of Entries in the Papal Registers Relating to Great Britain and Ireland: Petitions.</i>
<i>C.P.R.</i>	<i>Calendar of the Patent Rolls.</i>
Chaplais, "Chancery of Guyenne"	Pierre Chaplais, "The Chancery of Guyenne, 1289-1453," <i>Studies Presented to Sir Hilary Jenkinson.</i>
Delpit, <i>Collection générale.</i>	Jules Delpit, <i>Collection générale des documents français qui se trouvent en Angleterre.</i>
<i>D.N.B.</i>	<i>Dictionary of National Biography.</i>
<i>E.H.R.</i>	<i>English Historical Review.</i>
<i>Foedera</i>	<i>Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica inter Reges Angliae.</i> Edited by Thomas Rymer. Record Commission edition, 4 Vols., 1816-1869.
<i>Foedera</i> (Hague ed.)	<i>Foedera, Conventiones, Litterae et Cuiuscunque Generis Acta Publica inter Reges Angliae.</i> Edited by Thomas Rymer. Hague edition, 10 Vols., 1739-45.
<i>Froissart</i> (ed. Lettenhove)	<i>Oeuvres de Froissart.</i> Edited by Kervin de Lettenhove. 25 Vols., 1869.
<i>Froissart, Chroniques</i> (ed. Luce)	<i>Chroniques de J. Froissart.</i> Edited by Simeon Luce and G. Raynaud. 12 Vols., 1888.
P.R.O. List XI	Public Record Office List and Indexes: No. XI. <i>List of Foreign Accounts enrolled on the Great Roll of the Exchequer. Henry III to Richard III.</i>

P.R.O. List XXXV	Public Record Office List and Indexes: No. XXXV. <i>List of Various Accounts.</i>
R.H.B.	<i>Revue historique de Bordeaux et du département de la Gironde.</i>
Rot. Parl.	<i>Rotuli Parliamentorum, 1272-1503.</i>
Tout, <i>Chapters</i>	<i>Chapters in the Administrative History of Medieval England.</i>
Trabut-Cussac, "Les coutumes"	J. P. Trahut-Cussac, "Les coutumes ou droits de douane perçus à Bordeaux sur les vins et les marchandises par l'administration anglaise de 1252 à 1307", <i>Annales du Midi</i> , LXII (April 1950).

TEXT OF THE ACCOUNT OF JOHN LUDHAM

1372 — 1373

Compotus Johannis Ludham, clerici, nuper thesaurarii Aquitanie,¹ de receptis et expensis suis in officio predicto per breve regis de privato sigillo suo thesaurario et baronibus de scaccario suo directum dat' 20 die Julii anno quarto est inter communia de termino Sancti Hillarii dicto anno quarto, per quod rex mandivit eisdem quod computent cum prefato Johanne, nuper thesaurario Aquitanie pro domino principe regis nuper principe Aquitanie,² per sacramentum suum vel per sacramentum alterius persone attornati sui in hac parte de tempore quo dictus Johannes recepit redditus, proficua et revenciones dominii et principatus ibidem causa dicti officii, et litterarum patencium ipsius nuper principis, videlicet de die quo dictus Edwardus nuper rex Anglie cepit in manum suam in vita ipsius principis dominium et principatum predicta usque diem quo magister Robertus de Wykford³ qui immediate post dictum Johannem constitutus fuit per ipsum regem avum constabularius Burdegale⁴ recepit ea que pertinuerunt ad dictum of-

1 MS. *Aquitannie*. This is the form used by the scribe throughout the account and unless noted otherwise will be understood to be spelled as such. For particulars on Ludham's life see Introduction, pp. 223-4.

2 Edward, Prince of Wales, had been appointed as Prince of Aquitaine on 19 July 1362. He held his principality by liege homage, paying a tribute of one ounce of gold per year (*Foedera*, III, 667). The prince surrendered this right on 5 October 1372, "giving as his reason that its revenues were no longer sufficient to cover expenses and acknowledging his resignation in the parliament of the next month" (*Foedera*, III, 973; *Rot. Parl.*, II, 310; and Appendix.)

3 For details on Wykford see above pp. 224-6.

4 Bordeaux, dép. Gironde. The etymology of this name has been the subject of some conjecture. In his history published in 1771, Devienne decided it came from the words "Burgos" and "la Jale." With the change in the language (Latin to French), one may derive "Bordeaux." (Dom Devienne, *Histoire de la Ville de Bordeaux* [Bordeaux, 1771], p. xii.) A more recent study uses the Celtic origins and thus *bor* ('large' or 'great'), *tig* ('house'), with *el* or *al* ('machine'); thus 'great house of machinery', or more likely, 'great water mill.' Such a mill did exist in Bordeaux as late as 1600, on the estuary Peugeot near the Vieux Marché. This view is expressed by Le Flamanc, "Le Nom de Burdegala," *R.H.B.*, 5-6 (1956), pp. 172-79. See J. Righton Robertson Jr., "The Accounts of Richard Rotour, Constable of Bordeaux (1375-79) and William Loryng (1379-81)." (unpublished M. A. Thesis, Emory University, 1960), p. 1.

ficium constabularii de predicto Johanne virtute mandati ipsius regis avi eidem Johanni inde directi, faciendo eidem Johanni per sacramentum suum vel dicti attornati sui et per testimonium contrarotulatoris⁵ sui assignati per ipsum nuper principem seu per Thomam de Felton⁶ tunc occupantem officium senescalli Aquitanie⁶ debitam allocationem de omnibus solucionibus denariorum et liberationibus victualium et aliarum rerum pro garnistura villarum, castrorum et aliorum locarum per dictum Johannem tempore predicto factis per mandata dicti domini principis patris regis vel predicti Thome seu de avisamento consilii⁷ tunc apud Burdegalam existentis prout constare poterit dictis thesaurario et baronibus de dicto avisamento et per testimonium ipsius Thome, ac eciam allocari faciant⁸ eidem pro eodem tempore feoda et vadia ad officium constabularii Burdegale pertinencia et ultra talem regardum prout concessum fuit eidem per dictum dominum principem et allocatum ultra dicta vadia et feoda pro custagiis et expensis suis in dicto officio thesaurarii antequam dictus rex avus recepit in manum suam dominium et principatum predicta. Et quia causa guerrarum et diversarum donacionum factarum per regem avum, dominum prin-

⁵ For information concerning the office of controller, see above, p. 222.

⁶ Thomas Felton, seneschal of Aquitaine 1373-77, was the second son of Sir John Felton, lord and mayor of Litcham, Norfolk. He came from a distinguished house and had many prominent relatives. He was a member of the troop which ventured to France and overcame the French knights at Crécy in 1346 and again at Poitiers in 1356. He was one of the commissioners who signed the Treaty of Brétigny (1360), and took the oath to enforce it. He fought in Spain, was captured in 1367 and ransomed. He was active in Gascony and was instrumental in getting Gaston, Count of Foix, to join the English. Later when Gaston threatened to swing back to the French unless shown "substantial reasons to the contrary," Felton had nothing but excuses to offer for the non-appearance of a sufficient force on his side." (Sir J. H. Ramsay, *The Genesis of Lancaster*, 2 (Oxford, 1913) 42) He was appointed seneschal on 6 March 1373 (C. 61/86 m. 7; *Foedera*, III, ii, 972) and Admiral Philip de Courtenay arranged his passage to Gascony (C. 61/87 m. 4). He received his wages in the normal manner, paid by the constable. (*Foedera*, III, ii, 1000). The condition of contemporary economic affairs, both private and public, is well represented by a transaction between Felton and the crown on 20 February 1375. Since some 7,000 *li. st.* were in arrears to him for his expenses in executing royal affairs, part payment of 2,000 marks was ordered. The rest was to be forthcoming according to a regular plan. This payment was never made and marginal notation in this entry indicates that the 2,000 marks was surrendered by Felton's heirs in 6 Richard II in exchange for the cancellation of all royal claims on his estate. Thus it seems that neither party possessed a very sound state of finances. (see *C.P.R.* (1374-77), 77, 93-4). By virtue of his office he was in charge of the famous treason trial of Guillaume Sans Pommiers in 1376. (Froissart (ed. Lettenhove), IX, 2-4). He was captured again in November 1377 and released in 1380. (Walsingham, *Historia Anglicana*, ed. T. Riley (London, 1863-64), I, 342). He was involved in paying his ransom for some time afterwards. He was made a Knight of the Garter in 1381 and died the same year. For more information see *D.N.B.*, 6, pp. 1173-4.

⁷ See Introduction, p. 221.

⁸ MS. *faciatis*.

cipem et eorum loca tenentes idem Johannes non potuit levare tempore predicto ut dicit redditus, revenciones et proficua diversorum castrorum, castellanorum, preposituarum, ballivarum et custumarum in partibus predictis, rex vult quod predicti thesaurarius et barones non onerant ipsum Johannem in dicto compoto suo de aliquibus redditibus, revencionibus seu proficuis castrorum, castellanorum, prepositurarum, ballivarum, officiorum, custumarum vinorum nec aliarum custumarum nec de aliquibus receptis preterquam de illis que reperiri possunt ipsum recepisse per sacramentum suum seu attornati sui predicti et per testimonium predicti contrarotulatoris: videlicet, de huiusmodi receptis et expensis suis a 5 die Octobris anno 46 dicti regis avi, quo die predictus dominus princeps sursum reddidit in manus ipsius regis avi dominium et principatum predicta sicut continetur in brevi dicti regis Edwardi de privato sigillo suo thesaurario et baronibus de scaccario directo dat' 6 die Aprilis anno 49 quod est inter communia de termino Sancti Michaelis anno 51, usque 20 diem Augusti anno 47 per visum et testimonium Ricardi Fylongley,⁹ contrarotulatoris ibidem, quo die liberavit magistro Roberto de Wykford, constabulario Burdegale, diversa ornamenta capelle dicti castri et alias res ibidem ad dictum officium constabularii pertinencia per breve dicti regis avi patens de magno sigillo dat' 7 die Marci dicto anno 47 super hunc conmpotum liberatum et per indenturam inter eos inde factam dat' 20 die Augusti supradicto et super hunc compotum liberatum et a quo quidem 20 Augusti dicto anno 47 predictus magister Robertus Wykford, constabularius ibidem, est inde computaturus.

⁹ Richard Fillongly was one of the loyal servants of the Black Prince and has become the only real source for the Prince's finances in Aquitaine. He is not a very conspicuous figure until 1363 and it may well have been his service in Gascony which sparked his rise. The period 1362-1370 is almost a blank in his life. Delpit has suggested that he was treasurer of Guienne during this interval, although Dr. Sharp has denied this, stating "he probably filled some subordinate role" (Delpit, *Collection générale*, pp. cxxcii-cxxxi; Tout, *Chapters*, V, 365, n. 3). He was *familiaris* (household member) for William Spridlington, auditor of accounts in Aquitaine in 1370 (C. 61/83 m. 9; and Tout, *Chapters*, V, 365, n. 3). He remained in Gascony after the principality ended, serving the king as controller of the *Umbraria* under John Ludham. His appointment on 17 October 1372 came by the hand of the seneschal Thomas Felton (E. 101/179/9 m. 1). Confirmation of the position of sergeant general came to him in February 1374, when he was addressed as "unus ministrorum carissimi primogeniti nostri" (C. 61/87 m. 6; C. 61/88 m. 2.) He was also granted certain customs on wine in the castle of Bordeaux by the Prince, confirmed later by Richard II up to the sum of 22 li per year (C. 61/91 m. 15). By 1374 he was in serious financial difficulty and asked for wage increases (S. C. 8/333 m. 27) As controller he received a higher wage (3 s. 4 d. per day) than normal. His accounts are valuable sources: E. 101/177/1, 9, 10. For more information see Dr. Sharp in Tout, *Chapters*, V, 365-6.

RECEPTE

Idem reddit compotum de 317 li. 8 s. 6 d. monete currentis, quarum 7¹/₂ d.¹⁰ valentibus st. Anglie receptis de redditu assiso diversorum tenencium in civitate Burdegale et alibi infra ducatum predictum pro diversis dominiis,¹¹ terris, feodis et aliis rebus que de rege tenentur de terminis Sanctorum Severini, Martini; Natalis Domini; Sancti Thome Martiris; Prime Dominice Quadragesime; Pasche; Nativitatis Sancti Johannis Baptiste et Assumpcionis Beate Marie, accidentibus infra tempus huius compoti per visum et testimonium predicti contrarotulatoris sicut continentur in parcellis ipsius nuper thesaurarii Aquitanie ac eciam predicti contrarotulatoris in thesauro liberatis. Et de 813 li. predice monete currentis receptis de exitibus diversarum ballivarum et prepositurarum in dominio predicto, parvi sigilli hostagiorum,¹² defectuum curie Vasconie,¹³ custume vinorum vocate issac provenientis de vinis ad tabernam in civitate Burdegale venditis,¹⁴ pedagii et bordonagii¹⁵ pontis Sancti Johannis Jerosolime¹⁶ prope castrum Bur-

10 MS. *obolus*, interlinear with carat.

11 MS. *domibus*.

12 I have found no information concerning the identity of this seal.

13 The Court of Gascony was the "sovereign" court until the creation of the *curia superioritatis* in 1370. In the 13th century it functioned as an itinerant feudal court of justice. In the 14th century it became fixed at Bordeaux. The *judex Vasconie* was created as head of the court to relieve the seneschal of some of his judicial duties. Assisting the judge was a staff of clerks to write out the processes and judgements (Chaplais, "Chancery of Guyenne," pp. 74-75, 78). The court also had its own seal. The greatest difficulty of this court was the circumvention of its authority by appeals to the court of the king of France. This court did continue to function after the creation of the *curia superioritatis* and the judges were often members of both courts (Lodge, *Gascony Under English Rule*, pp. 147-51).

14 Issac was a custom paid on wines sold in taverns in the city of Bordeaux by growers and merchants who were non-citizens. It was classed with the "great custom" and amounted to a considerable sum, though the rate varied each year. It was fixed by the constable "apres les vendages," and was dependent upon the quality of the crop. In 1285 this tax was established at 2 s. 8 d. *per tun* (F. M. Powicke, *The Thirteenth Century, 1216-1307*, 2d ed., [Oxford, 1963], p. 307). To avoid payment of the "great custom," some tried to buy wine in an area of the Bordelais and sell it in Bordeaux; they then had to pay a "petit issac" (Trabut-Cussac, "Les coutumes," 135-50).

15 A *Pedagium* was a traveler's toll paid for the right of passage. It is perhaps significant that Bordeaux was a convenient stopping-off place for those going to that most famous of medieval shrines, St. James of Compostella.

Bordonagium can be construed as those who supervised the fabrication of barrels, or, more probably in this case, a ferry toll on the Gironde.

These tolls were farmed out under Ludham and Wykford with the normal rate (presumably to cross the bridge), at 1 *turren'* per person (pilgrim). (Ludham's particulars C. 1372-73; E. 101/179/8 mm. 3 d. 4; and Wykford's particulars for 1373-74; E. 101/179/14, no. 5 d. m. 19 r.

16 This bridge was built by the Hospitalers in 1182. It was located south of the city walls on the Peugeot rivulet. (Charles Higounet, *Bordeaux pendant le haut Moyen Age*, Vol. II of *Histoire de Bordeaux*, ed. Charles Higounet [Bordeaux, 1963], p. 135).

degale¹⁷ assentis diversis ad terminos Natalis Domini, Pasche et Nativitatis Sancti Johannis Baptiste accidentes infra idem tempus per visum et testimonium predictum sicut continetur in dictis parcellis ipsius thesaurarii et contrarotulatoris.¹⁸ Et de 8,169 *li.* 9 *s.*¹⁹ 2 *d.* predictae monete receptis de condempnationibus curie Vasconie; custuma vinorum Burdegale;²⁰ gaugio vinorum²¹ ibidem; vadiis sive depositis pro custuma vinorum, custumarum killagii²² et mellis;²³ custuma vinorum Leyburnie;²⁴ gaugio vinorum et custuma killagii²⁵ ibidem necnon de decima vinorum decendencium de obediencia regis Francie per tempus huius compoti per visum et testimonium predictum sicut continetur in

17 This was the official royal castle of Bordeaux commonly called the *Umbraria* or the Chateau de l'Ombrière. It was the residence of the English administrators in Gascony, including the Court of Gascony, the Council of Gascony, the chancery of the seneschal, perhaps the Court of Sovereignty, and more importantly, the constable and all of his clerks and notaries who carried out the routine administrative matters. The revenues of the duchy (or principality) were collected here and the collector's accounts audited. The castle also served as the local prison, as it was guarded by a moat and had two large towers: the *tour du roi*, and the *tour Arbalesteyre*. For fuller information on the *Umbraria*, see Higounet, *op. cit.*, pp. 157-59; and especially for maps, cartes 5 and 27. Also references below to the furnishings, pp. 63-66, 72-73; and repairs, pp. 133-34, 144-45.

18 For Ludham's particulars see above, p. 223.

19 MS. *s.* interlinear, with carat.

20 The right to tax Gascon (Bordeaux) wine was one of the most lucrative privileges of the King of England. The expression "coutumes de Bordeaux" is a bit misleading. Primarily it means either the tax assessed on wines.

For a fuller discussion of these see, Trabut-Cussac, "Les Coutumes," pp. 135-150.

21 Wainage was the right to assess a tax on wine casks at Bordeaux. The custom was normally farmed out and the "gauger" of wine (a "gaugetum" was a measure) was responsible for measuring the quantities and insuring the proper sealing of the casks (Lodge, "Constables of Bordeaux," 226-7).

22 MS. *killiagii*. Keelage was a custom levied on the launching of a new ship or the remaking of an older one. It was also assessed on all ships which came into the Gironde to carry wine (Trabut-Cussac, "Les coutumes," 146; Lodge, "Constables of Bordeaux," 228).

23 The *custuma mellis* was a tax levied on honey both at Bordeaux and Libourne. It was levied at the rate of 5 *d.* per tun, current money according to the particulars of Ludham (E. 101/179/8 m. 6, recto) and was then increased to 2 *s.* 1 *d.* current money under Wykford. It appears to have stayed at this rate for some time (Wykford's particulars, 1373-75; E. 101/179/14 m. 5 *r.*, m. 18 *d.*).

24 Libourne, dép. Gironde. One of the unique innovations of Edward I had been the creation of bastides. Libourne was one of these. It enjoyed the unusual privilege of trade directly with England, and not operating under the auspices of the port of Bordeaux (Trabut-Cussac, "Les Coutumes," 149). The external pressure of the French under Louis of Anjou forced Libourne into the arms of Bordeaux as protector. In its relationship as "filleule" (1379), it soon lost some of its economic advantages through heavy taxes by the jealous protector. For fuller information see Jean Royer, "Libourne: étude d'évolution de ville," *R.H.B.*, 17, nos. 3 and 4. (1924), pp. 123-42, 234-43.

25 MS. *Killiagii*.

parcellis predictis et in papiris dictorum thesaurarii et contrarotulatoris de particulis super hunc compotum liberatis. De exitibus omnium prepositurarum, ballivarum et huiusmodi in partibus Landarum²⁶ per tempus huius compoti non respondet quia dominus Nicholus de Sudbury,²⁷ receptor denariorum proveniencium de exitibus senescalcie Landarum per comissionem dicti domini principis, debet inde respondere sicut continetur in dictis parcellis predictorum thesaurarii et contrarotulatoris. Et respondet infra. Et de 195 *li.* predictae monete currentis receptis de exitibus cuiusdam inposicionis 6 *d.* de libra de omnibus rebus et mercandisiis venditis pertinentibus alienigenis in civitate Burdegale et alibi in Burdegalesia et Vasadesia²⁸ concesse par comitatem ad solvenda vadia quorundam hominum ad arma ordinatorum pro custodia et tuicione principatem dicto anno 46 per idem tempus per visum et testimonium predictum sicut continetur in dictis parcellis ipsorum thesaurarii et contrarotulatoris in thesauro liberatis. De aliquibus aliis exitibus sive proficuis terrarum, tenementorum, ballivarum seu aliquarum aliarum rerum in predicto ducatu Aquitanie per tempus huius compoti non respondet eo quod nullus huiusmodi exitus seu proficua preter superius onerata per idem tempus recepit seu recepissee potuit ut dicit per sacramentum suum et prout testificatur per contrarotulatorum predictum sicut continetur ibidem.

SUMMA RECEPTARUM 9,494 *li.* 17 *s.* 8 *d.* DICTE

MONETE *NIG.* CURRENTIS, VALENCIUM IN *ST.*

ANGLIE. 1,265 *li.* 19 *s.* 8 *d.* QUA.

EXPENSE:

Idem computat solucionem dicto Thome de Felton', senescallo Aquitanie, percipienti pro feodo suo racione officii sui predicti 500 *li. st. g.* per annum ad quatuor anni terminos equaliter [solvendas] et pro riguardo suo racione dicti officii sui 250 marcas *st. g.* per annum ad eosdem terminos equaliter [solvendas] videlicet pro dictis feodo et

²⁶ Landes, dép. of. This sandy and not very fertile area had great political importance by its strategic location between Bordeaux and Bayonne. It was an area bounded by the Atlantic Ocean, Garonne River, and the hills of the Adour and Armagnac. There was a sub-seneschal for Gascony located here and by ordinance of 1323 he received 700 *li.* (Lodge, *Gascony Under English Rule*, pp. 10, 142).

²⁷ The only reference I have perceived which might possibly relate to this man is the notice of the grant of a prebend (Bishopeschull, in the cathedral church of Lichfield). (*C.P.R.* [1370-74], p. 402, dated 27 April 1374).

²⁸ The Bazadais.

regardo pro terminis Natalis Domini, Pasche et Nativitas Sancti Johannis Baptiste accidentibus infra dictum tempus huius compoti 2,500 *li.* dicte monete currentis per litteras ipsius senescalli de waranto dicto thesaurario inde directas dat' 12 die Augusti dicto anno 46 et super hunc compotum liberatas, in quibus continetur quod pro eo quod dictus dominus princeps dedit et concessit eidem Thome feodum et regardum supradicta causa dicti officii sui percipienda de exitibus et proficuis castri predicti ad terminos supradictos, mandavit eidem thesaurario quod solvant eidem Thome feodum et regardum predicta ad eosdem terminos de exitibus predictis, recipiens inde litteras acquietancie²⁹ sub sigillo suo³⁰ super hunc compotum liberatas per visum et testimonium predicti contrarotulatoris sicut continetur in dictis parcellis ipsius thesaurarii et contrarotulatoris in thesauro liberatis. Et in vadiis ipsius Ludham, thesaurarii Aquitanie, percipientis pro vadiis suis racione officii sui 4 *s. st.* Anglie per diem et pro regardo suo iuxta ratam 200 marcarum *st.* Anglie per annum, videlicet pro huiusmodi vadiis et regardo per tempus huius compoti, 1,347 *li.* 8 *s.* 9 *d.* monete predicte currentis per considerationem baronum annotatam in memorandis de anno quinto inter recorda de termino Sancti Michaelis sicut continetur ibidem. Et solucionem sibi ipsi thesaurario pro robis suis et clericorum suorum per idem tempus 105 *li.* monete predicte per litteras ipsius domini Thome de Felton', senescalli, de waranto dicto nuper thesaurario directas dat' 20 die Septembris dicto anno 46 super hunc compotum liberatas, in quo continetur quod pro eo quod in nigro libro³¹ castelli Burdegale continetur et plenius declaratur et in tempore

²⁹ Quittances were the regular vehicle for the receipt of revenues from the Gascon treasury. An official had to produce his letters of commission in order to receive his pay. When he had received his due he rendered a "quittance" to the constabulary as proof of his receipt of wages. These "quittances" were kept and rendered with the constable's account at the end of his term as proof of payments.

³⁰ For information on the constable's seal see below.

³¹ This appears to be a reference to the black book that was the sole survivor of the misfortune which struck the Gascon archives in 1294. Because of the war beginning in that year the majority of the Gascon documents at Bordeaux were moved. They were headed for England but ended up on the Island of Oléron when the unpaid crew decided to dump the cargo. Soon after March 22, 1294, the French took the island and captured the records. It seems that the only article recovered was a "book with a black cover containing part of the fees and dues of the lord king and duke in that duchy of Aquitaine, in which book are contained 118 written folios and 5 blank folios." This book was bought by a constable of Bordeaux, Pierre Aimeri, for 15 *li. tur.* about 1302. The book has been reconstituted by J.-P. Trabut-Cussac. It is identified with *Liber H*, found in the *Chambre des Comptes* in Paris, and now lost. See Trabut-Cussac, *Le Livre d'hommages d'Aquitaine* (Bordeaux, 1959); G. P. Cuttino, "The Archives of Gascony Under English Rule," *The American Archivist* (July 1962), pp. 316-17. For an account of the return of this book to the archives of Bordeaux, see the account of "Pierre Aimeric" in *A.H.G.*, 4, p. 3.

antiquo usitatum existit quod constabularius Burdegale qui pro tempore fuerit perciperet et haberet 14 *li. st.* Anglie per annum pro robis suis et clericorum suorum yemalium et estivalium, idem senescallus vult quod in compoto ipsius thesaurarii predicti 14 *li.* singulis annis allocentur eidem pro tempore quod steterit in officio suo predicto, et per dictum breve de privato sigilli de allocando mandata ipsius senescalli in titulo huius compoti annotatum et per testimonium predicti contrarotulatoris sicut continetur ibidem. Et solucionem predicto Ricardo Filongley, contrarotulatori, pro vadiis suis 3 *s.* 4 *d. st. g.* per diem ratione dicti officii sui a 19 die Octobris dicto anno 46, quo die acceptavit officium predictum per comissionem predicti senescalli, usque 19 diem Augusti proximo sequentem, 254 *li.* 3 *s.* 4 *d.*; dicte monete currentis per litteras ipsius domini Thome de Felton', senescalli, dicto nuper thesaurario inde directas dat' 18 die Octobris dicto anno 46 et super hunc compotum liberatas, in quibus continetur quod cum idem senescallus per litteras suas patentes de avisamento consilii ipsius domini principis constituerit predictum Ricardum contrarotulatorem castri Burdegale percipiendo 3 *s.* 4 *d. st. g.* per diem pro vadiis suis pro tempore quo steterit in officio illo, mandavit eidem thesaurario quod solvat eidem Ricardo de tempore in tempus vadia supradicta, recipiendo ab eodem litteras suas acquietancie in hac parte, ac etiam per litteras acquietancie ipsius Ricardi super hunc compotum liberatas et per dictum breve de privato sigillo de allocando mandata ipsius Thome in titulo huius compotum annotatum et per testimonium predicti contrarotulatoris sicut continetur ibidem. Et eidem pro robis suis per idem tempus, 60 *li.* monete predictae per litteras ipsius senescalli de waranto dicto thesaurario inde directas dat' 26 die Octobris dicto anno 46, per quod mandavit eidem quod 8 *li. st.* Anglie seu valorem earundem annuatim sovāt eidem Ricardo pro robis suis et per breve regis supradictum ac etiam per litteras acquietancie ipsius Ricardi super hunc compotum liberatas sicut continetur in dictis parcellis ipsorum thesaurarii et contrarotulatoris. Et in vadiis Johannis de Plumpton',³² capellani, celebrantis in capella castri ibidem et Johannis

³² John Plumpton, chaplain was educated at Cambridge where he was appointed king's scholar on 31 October 1331. He was a King's Hall Foundation Fellow in 1337, and still in 1349 (A. B. Emden, *A Biographical Register of the University of Cambridge to 1500* [Cambridge, 1963], p. 456). An unusual document is found in the Patent Rolls which notes an arrangement between Plumpton and the Hospital of St. Giles, without the Bar of the Old Temple, London. It was agreed that the master and brethren, with the assent of the master of Burton, would grant Plumpton 14 *d.* a week to be paid yearly for three years from the date of the indenture between them. After the three years he would receive a grant for life of 'bread, ale, flesh, fish and other viands at the table of the brethren, if he

Dagenet,³³ custodis porte eiusdem castri, quolibet illorum capiente 3 *d. st.* Anglie per diem et 20 *s.* pro roba sua eiusdem monete per³⁴ annum; magistri Ramundi Guiliam de Podio,³⁵ bacularii³⁶ in decretis, iudicis appellacionum tam civilium quam criminalium et auditoris aliarum causarum ad curiam Vasconie interpositarium, percipientis pro feodo et vadiis suis ratione officiorum suorum predictorum 250 *li.* dicte monete currentis per annum; magistri Elie de Brolio,³⁷ procuratoris domini regis in Burdegalesia et Vasidasia, percipientis pro feodo et vadiis suis ratione dicti officii 100 *li.* dicte monete currentis per tempus huius compoti; 249 *li.* 12 *s.* 6 *d.* monete predicte per dictas litteras domini Thome de Felton', senescalli, de waranto dat' 20 die Septembris dicto anno 46, in quibus continetur quod mandavit eidem nuper thesaurario quod dictis Johanni de Plumpton', capellano; Johanni Dagonet, custodi porte dicti castri; magistro Ramundo Guiliam de Podio et magistro Elie vadia, foeda et roba predicta solvat de tempore

be in health, and if he be ill there shall be ministered to him in his chamber such viands as the master and his *confrères* have, with a chamber and a chimney and a wardrobe; and if, in time to come, the master or his *confrères* be not willing that he take his sustenance as above, then he shall take 12 *d.* a week; for the security of which the master and brethren, with the assist of the master of Burton, bind themselves by this indenture of 40 *L.* for the performance of the contract." This document was sealed by all parties and dated 9 May 1372 (*C.P.R.* [1370-74], p. 358). A dubious reference is made in a royal mandate of 14 May 1377, addressed to John, vicar of Plumpton, together with the friars of Plumpton and Motbury, to prepare their lands for a possible French invasion (*C.C.R.* [1374-77], p. 497). The quittances for his receipt of wages are found in E. 101/181/5 m. 44 for 23 July 1376—23 July 1377; E. 101/181/1 m. 26, for 23 July 1377—23 July 1378, with seal attached in fine condition; and the particulars of Rotour, E. 101/108/9 m. 29 r.; and Wykford, E. 101/179/14 m. 2.

33 There is record of a John Dagenet as a Fellow of Exeter College, Oxford in 1367-68, and rector in 1372 (Emden, *A Biographical Register of the University of Oxford to A.D. 1500*, 3 Vols. [Oxford, 1957-59], I, 533). The chances of his being the "gate keeper" in question are slight, though the appointment allows substitutes; "granting to his servitor ... his messenger, the office of porter or keeper of the gate of his castle at L'Ombrière, Bordeaux, for life ... with power to put substitutes in his place. For whom he will be liable at his peril" (*C.P.R.* [1370-74], p. 228), an *inspeximus* of a grant made by the Black Prince on 6 August 1365; see also C. 61/87 m. 4, for a confirmation of *eidem officium janitoris sive custodiam porte apud Umbrieriam* ...

34 MS. *pro*.

35 Raymond Guillaume de Puy was a very prominent official in Gascony as a justice. On 12 March 1373 he was empowered to hear appeals (*querelas*) on the newly formed Court of Appeals (C. 61/86 m. 3; *Foedera*, III, ii, 974). He held the bachelor of decretals, but the university of his study is uncertain. He often served as commissioner on diplomatic missions, notably to treat with the King of Aragon in 1372 (*Foedera*, III, ii, 939); to treat with the volatile counts of Armagnac and Foix (*Foedera*, III, ii, 1027); for a truce with Juan of Castile, Peter of Aragon and Charles of Navarre, in March 1376 (*Foedera*, III, ii, 1069) and April 1383 (*Foedera*, IV, 165-66). His appointment to the Court of Sovereignty was confirmed by letters patent in 1389 (C. 61/101, m. 12).

36 MS. *baculario*.

37 Elie de Brolio (Hélie de Breuil), was another of the justices of Gascony. He was appointed to the Court of Sovereignty in 1389 (C. 61/101 m. 12).

in tempus de anno in annum pro tempore quo ipse fuerit thesaurarius Aquitainie et ipsi steterit in officiis suis predictis, recipiendo de quolibet illorum litteras suas acquietancie³⁸ de huiusmodi solucionibus eis factis et per dictum breve de privato sigillo de allocando mandata ipsius Thome quod superius in titulo huius compoti plenius annotatum et per quattuor litteras acquietancie eorundem super hunc compotum liberatas sicut continetur in dictis parcellis ipsius thesaurarii et contrarotulatoris. Et in torchis³⁹ cereis et aliis necessariis eiusdem capelle per tempus huius compoti, 56 s. 8 d. monete predicte per easdem litteras domini Thome de Felton', senescalli, in quibus inter cetera continetur quod mandavit dicto thesaurario quod emere faceret torches cereas et candelas cere⁴⁰ et alia necessaria pro capella predicta de tempore in tempus prout necesse fuerit; et de expensis circa premissa appositis vult quod allocacionem percipiat per testimonium contrarotulatoris predicti et per dictum breve regis de privato sigillo de allocando mandata ipsius Thome et per testimonium ipsius contrarotulatoris sicut continetur in parcellis predictis. Et in diversis papiris ligatis pro custumario contrarotulatoris et pro alio papiro pro aliis diversis memorandis officium constabularii Burdegale tangentibus; pergameno, incausto, cera rubia, cum reperacione balistarum et aliis minutis necessariis emptis per tempus huius compoti, 40 li. 12 s. monete predicte per litteras predicti domini Thome de Felton', senescalli, dicto thesaurario directas dat' predicto 12 die Augusti anno 46, in quibus continetur quod emere faceret papiro ligatos et alia necessaria predicta per testimonium predicti contrarotulatoris et per dictum breve regis de privato sigillo de allocando mandata ipsius Thome sicut continetur ibidem. Et in diversis reperacionibus domorum infra castrum predictum per idem tempus, 15 li. 3 s. 4 d. monete predicte per easdem litteras ipsius senescalli in quibus continetur quod reperare et emendari faceret domos et cameras infra castrum predictum et per dictum breve de privato sigillo de allocando mandata ipsius Thome sicut continetur in dictis rotulo et contrarotulo de particulis. Et in expensis diversorum nunciorum et cursorum missorum ad diversa loca cum litteris dominorum senescalli, thesaurarii Aquitanie et aliorum de consilio domini regis pro diversis negociis statum ducatus Aquitanie tangentibus per diversas vices infra tempus huius compoti, 64 li. 17 s. 6 d. per litteras testimoniales predicti domini Thome de Felton', senescalli, de waranto dat' 28 die Aprillis anno 47, in quibus continetur quod dictus thesaurarius solvit dictam summam pro

38 MS. *acquietancie*.

39 MS. *torches*.

40 MS. *ceree*.

expensis nunciorum et cursorum predictorum et per dictum breve regis de privato sigillo de allocando litteras testimoniales predicti senescalli sicut continetur in dictis rotulo et contrarotulo de particulis. Et solutionem domino Ramundo de Monte Alto, domino de Massidano,⁴¹ cui dictus dominus princeps dedit et concessit 600 *scut. aur. vet.*⁴² quolibet anno super exitibus magne custume vinorum⁴³ in castro Burdegale custumatorum; domino Guilliello Ramundo, domino de Rosano,⁴⁴ cui idem dominus princeps dedit et concessit 300 *li.* monete currentis per annum ad totam vitam suam super exitibus castri Burdegale; domino Johanni Columbi,⁴⁵ militi, cui idem dominus princeps

41 Mussidan, dép. Dordogne, arr. Ribérac; Montaut, dép. Dordogne, arr. Bergerac; Raymond de Montaut was one of the strongest Gascon nobles and a loyal English supporter. In 1366 he appealed to the king concerning Blaignac, and a three man commission was set up to investigate the matter (*Foedera*, III, ii, 791). In 1375 he was requested by the pope to go to England to procure the release of two men taken after the truce of that year (*Cal. Pap. Reg.* [1362-1404], pp. 144-45). He fought beside Felton in the hasty defense of 1377, and was captured also. He is mentioned in the receipt of grants and favors as compensation for losses because of war in C. 61/89 mm. 3, 4, 6.

42 This is the equivalent of the French *écu d'or*.

43 The great custom of wine was the major source of revenue for the king of England in Gascony. This custom remained the "roi-duc's" for the most part and was usually divided into portions to give as grants. Often the greatest mark of favor that the king or lord might show was a handsome benefice composed of a portion of the great custom. The citizens of Bordeaux were exempt from the *magna custuma* on all wines from their vineyards in the diocese of Bordeaux, unless they bought and sold from non-citizens. By an agreement in 1285, the rate on wine exported or sold outside of the *banlieue* of Bordeaux was 5 s. 6 d. of Tours, per tun. This was for the privileged merchants at first, but soon became the general fee. (It must be noted that the rate might vary each year, though, according to the quality and quantity of the crop. This bargaining was done by the constable, who also negotiated whether the payment would be in money *bordelais* or *tournois*.) For a detailed account on the customs of Bordeaux, see Trabut-Cussac, "Les coutumes," pp. 135-150. For a brief discussion of the evolution and value of the Gascon wine trade, noting its growth from the decline of Rouen, the shrinking of the Angevin Empire and the reasons for continued Gascon-English trade after the Hundred Years War, see E. M. Carus-Wilson, "The Effects of the Acquisition and of the Loss of Gascony on the English Wine Trade," *Bulletin of the Institute of Historical Research*, (1946-48), pp. 145-54. and Margery K. James, *Studies in the Medieval Wine Trade*, ed. E. M. Veale (Oxford, 1971) for an excellent discussion of various aspects of the Anglo-Gascon wine trade. For English ports receiving wine in 1371-2 see her App. 13; and note ch. 1, "The Fluctuations of the Anglo-Gascon Wine Trade in the Fourteenth Century," reprinted from *Economic Hist. Rev.*, 2nd ser., 4 (1951).

44 Rauzen, dép. Gironde, arr. La Réole, c. Pujols.

45 John Columb was a member of a prominent family that was very influential in the affairs of the Bordelais. His name appears on the roll of the *cens* of the Archbishops of Bordeaux in 1333 and 1360-61, where he is referred to as a resident of the rue *Sancti-Jacobi* (*A.H.G.*, 12, 16, 547); and again in 1367 (*A.H.G.*, 22, 31, 39-40, 177). Columb was executed in 1376, along with Guillaume-Sans Pommiers, Viscount of Fronsac, on charges of treason. This was one of the most famous of trials at Bordeaux and shocked the populace. Columb was the lawyer and advisor of the viscount, who supposedly made a deal to surrender himself and all his castles to the French. Sir Thomas Felton was in charge of the execution of justice in this case, and ordered the beheading, which occurred in the market place. Columb's possessions were forfeited to the crown (C. 61/95 m. 5) and in fact the crown assumed at least one of his debts. (140 *ecus d'or vieux* [203 *li.* current money] were owed to Arnold Constantine; E. 101/650/183 March 1380). For fuller details on Pommiers and Columb, see *A.H.G.*, 26, p. 149 ff. and *Froissart* (ed. Lettenhove), 9, p. 1-4.

dedit et concessit 200 *li.* monete currentis quolibet anno ad totam vitam suam super exitibus custume vocatur issac vinorum ad tabernam in civitate Burdegale venditorum; domino Petro de Landirano,⁴⁶ militi, cui idem dominus princeps dedit et concessit 200 *li.* monete currentis per annum ad totam vitam suam super exitibus custume predicte; Johanni de Cantirano,⁴⁷ scutifero, cui idem dominus princeps dedit et concessit 200 *li.* monete predicte per annum ad totam vitam suam de exitibus eiusdem custume; Petro Ramundo Fouch', nuper burgensi de Monte Albano,⁴⁸ cui idem dominus princeps dedit et concessit, 50 *li.* monete predicte currentis quolibet anno super exitibus prepositure Umbrarie Burdegale⁴⁹ quousque eidem Petro de 600 *g. aur.* per ipsum perditis in civitate Montis Ablani fuerit satisfactum vel alibi assignatum; Christoforo de Ribbeley, nuper Burgensi de Monte Albano, cui idem dominus princeps dedit et concessit, 60 *li.* monete currentis ad terminum vite sue super exitibus custume vinorum in castro Burdegale; domino Petro de Montardit, monacho de monasterio de Cairaco in senescalia Cautertense,⁵⁰ cui dominus princeps dedit et concessit 50 *li.* dicte monete currentis per annum super exitibus custume Burdegale; Ramundo Molmer de Realville,⁵¹ cui idem dominus dedit et concessit 60 *li.* eiusdem monete super exitibus duorum hospiciorum in Rua Putavina subtus castrum Burdegale; domino Ramundo de Pelagrua,⁵² militi, cui idem dominus princeps dedit et concessit 120 *li.* dicte monete quolibet anno ad totam vitam suam super redditibus domorum et

46 Pierre de Landiras was one of the nobles who was most offended by the Ordinance of 30 September 1375 against members of his class. This law restricted the nobility's rights to the coveted status of burgher and the privileges of the bourgeoisie (notably tax advantages on wine). It also reduced the *jurade* from twenty-four to twelve members, restricting the nobles' membership in Bordeaux's governing body. It was probably the treason of several of the local lords in 1369-70 which prompted Edward III's ratification of this act. John of Gaunt abrogated it in 1392. A more detailed account may be found in Pierre Chaplais, "A propos de l'ordonnance de 1375 sur la Bourgeoisie et la jurade de Bordeaux," *Annales du Midi*, 65 (January 1953), 113-118.

47 John Cantiran was granted the office of *scribania* (*escrivenie*) of the court of Gascony in recompense for his great losses in the wars (given in 1370; C. 61/91 m. 9).

48 Montauban, dép. Tarn-et-Garonne.

49 MS. *Umbre*. The prévôt of the *Umbraria* was the most important of this class of officers. He exercised the rights of justice for the duke or prince in Bordeaux. He had special jurisdiction in the quarter immediately around the castle and policed the streets and port. He rendered justice to strangers and kept the city and castle prepared for defense. He was named for the position by the seneschal or constable, and had to be an Englishman and a knight. The office was given the Soudic de la Trau for life in 1356 (*C.C.R.* [1377-81], p. 519). For fuller information see Yves Renouard, "Les Institutions du duché d'Aquitaine (des origines à 1453)," *Histoire des institutions françaises au Moyen Age*, 3 Vols., eds. Lot and Fawtier, 1 (Paris, 1957), 172.

50 Cahors, dép. Lot.

51 Realville, dép. Lot-et-Garonne, arr. Montauban, cant. Caussade.

52 He is later found doing homage for his lands (*Foedera*, IV, 59; dated 10 March 1379).

placearum ville Leybournie ac eciam super venditis et retrovenditis⁵³ ibidem; Bertrando le Corrent, scutifero, cui ibidem dominus princeps dedit et concessit 200 *li.* monete currentis singulis annis ad totam vitam ipsius Bertrandi super exitibus custume vinorum in castro Burdegale custumatorum; domino Guillelmo Amonem Andronis, militi de Burguo,⁵⁴ cui dictus dominus princeps dedit et concessit 200 *li.* monete currentis singulis annis ad totam vitam ipsius Guillelmi super exitibus preposture Umbrarie; domino Petro Arnaldi de la Mussanet, militi, cui idem dominus princeps dedit et concessit 100 *li.* monete currentis super exitibus parvi sigilli hostagiorum Burdegale quolibet anno ad terminum vite sue: videlicet in partem solucionis huiusmodi certorum suorum per dictum tempus huius compoti: 1,434 *li.* 4 *s.* 11-1/2 *d.* dicte monete currentis per litteras predicti Thome de Felton', senescalli de Aquitania, de waranto dicto nuper thesaurario directas dat' 12 die Augusti dicto anno 46 et super hunc compotum liberatas, per quas mandavit eidem quod solvat personis predictis dictas summas eis ut premititur concessas de tempore in tempus et de anno in annum pro tempore quo steterit in officio suo predicto, recepiendo⁵⁵ de quolibet eorum litteras suas acquietancie de solucionibus eis factis et per 13 litteras acquietancie⁵⁶ predicti domini Ramundi et aliorum supradictorum super hunc compotum liberatas et per dictum breve de privato sigillo de allocando mandata ipsius senescalli sicut continetur in dictis parcellis ipsius nuper thesaurarii et contrarotulatoris in thesauro liberatis. Etolucionem domino Anisancio de Caumont,⁵⁷ domino de Combaben, baneretto, super vadiis suis propriis et diversorum hominum ad arma de retenencia sua secum commorancium super custodia et tuicione diversorum castrorum, fortaliciarum et locorum de Angennesio, 625 *li.* monete predicte; domino Bertrando de Frauncz, militi castellano castri Regule,⁵⁸ ut in precio quattuor tonellorum frumenti et et 3 piparum⁵⁹ mellis pro garnistura⁶⁰ et victualibus

53 A tax on the sale and resale of articles, perhaps best considered a tax on "moveables."

54 Bourg-sur-Mer, dép. Gironde, arr. Blaye.

55 MS. *recipiens*.

56 MS. *acquietancie*.

57 Caumont, dép. Lot-et-Garonne, arr. Marmande, cant. Le Mas-d'Agenais.

58 La Réole, dép. Gironde. This important center was ordered to be held only by Englishmen after the death of William Sans, Lord of Pommiers, by order dated 12 October 1357 (*Foedera*, III, i, 380). The city was captured at the end of August 1374. On the 27 th the Duke of Anjou confirmed the privileges of the inhabitants. The castle fell on 8 September (Robert Boutruche, *La crise d'une société. Seigneurs et Paysans du Bordelais pendant le Guerre de Cent Ans* [Paris, 1947], p. 210, n. 3).

59 The tun, or tonneau, was a cask which held about 240 to 252 gallons of wine in the later fourteenth century "About 1300 a very large cask was in use, the tonneau, holding about 800 litres to Note 60 see next page.

eiusdem castri 126 *li.* monete predicte; domino Johanni Lobens, militi, capitaneo ville Montis Securi,⁶¹ super vadiis suis propriis et quorundam hominum ad arma et serviencium peditum commorancium super custodia unius porte fortis et tuicione ville predicte 112 *li.* 10 *s.* monete predicto; eidem Johanni ad liberandum et solvendum Guilliemo de Bassaco,⁶² domicello, custodi unius molendini fortis quod nuper fuit Abbatis Sancti Firmini juxta villam Montis Securi, super expensis suis ibidem appositis et apponendis 25 *li.* monete predicte; domino Bertrucato de Lebreto, baneretto,⁶³ tam super vadiis suis et hominum suorum secum existencium super defensione diversorum castrorum, villarum et locorum quam super providencia et empcone victualiam pro castro de Penna⁶⁴ in Angennesio, 633 *li.* 10 *s.* monete predicte; domino Bertrando de Pomeriis,⁶⁵ militi, capitaneo ville Sancti Makarii,⁶⁶ super vadiis suis et trium scutiferorum secum commorancium super

900 litres (28 cu. ft. to 32 cu. ft.), as well as smaller casks called *pipes* and *barriques*." These larger casks went out of use later, but the tonneau remained, with the formula: 1 tonneau equals 2 pipes equals 4 *barriques* (Yves Renouard, "Recherches complementaires sur la capacité du tonneau Bordelais au Moyen Age," *Annales du Midi*, 68 [1956], 195-207). The average wine cask weighed 2,240 pounds and so a 100 ton ship could take about 100 casks (tuns). For the specifics on the computation of these and other figures, see Frederick C. Lane, "Tonnages, Medieval and Modern," *Economic History Review*, 2nd ser., 17 (December, 1964), 214-33.

60 MS. *garnestura*.

61 Monségur, dép. Gironde, arr. Langon.

62 There is a reference to a William de Bossaco, the elder, donsel of the diocese of Tulle in the Papal Registers for December 1373. As a member of the Pope's household, the Holy Father requested a safe conduct for him so that he might pass through Gaunt's forces on his way to Rome (*Cal. Pap. Reg.* [1362-1404], p. 127).

63 Albret, dép. Landes, arr. Mont-de-Marsan. The seigneurie d'Albret was one of the largest in Gascony and important to the English because of its position (mostly in the Landes) between Bordeaux and Bayonne. The Black Prince offended Albret on the eve of the Spanish expedition in 1367 by asking for more troops than he was able to supply. "The Sire of Albret is a great lord indeed when he wishes to break the ordinance of my council," the prince observed, "By God things shall not be as he thinks. Let him stay home if he likes, I can do without his 1,000 lances." Here began the strain that was to end in the severance of a valuable alliance. (Lodge, *Gascony Under English Rule*, p. 102). Soon this lord, Arnaud Amanieu d'Albret, was married to Margaret of Bourbon, sister of the French Queen. It also must be noted that the *fouage* which the Black Prince invoked in 1368 helped alienate the above lord as well as the Count of Armagnac, the Count of Perigord and the Count of Comminges. Bertucat, lord at the time of this account, appears as somewhat of a fence-rider. In this account he is mentioned as a receiver of English wages, while in Wykford's account he is one of the major adversaries in the French drive of 1373-74 toward Bordeaux. He was a man of war in all cases and can be traced to an association with the *rouliers* (Edouard Perroy, *The Hundred Years War* [London, 1951], p. 154). On the fall of La Réole in 1374, the d'Albret claims were extended into the area of old Guienne between the Garonne and Pyrennes. Successive reverses pushed back their demesne, but they continued to serve the King of France (*Ibid.*, p. 165).

64 Penne, dép. Lot-en-Garonne, arr. Villeneuve-sur-Lot.

65 Pommiers, dép. Gironde, arr. La Réole, cant. Sauveterre, com. Saint-Sulpice-de-Pommiers.

66 Saint-Macaire, dép. Gironde, arr. La Réole.

custodia et defencione dicte ville, 12 *li.* 10 *s.* monete predicte; Petro de Lyngham, scutifero, capitaneo castri et ville de Lengonio,⁶⁷ super reperatione et emendacione quorundam defectuum dicti castri 12 *li.* monete predicte; Ricardo de Tilbury, scutifero, locum tenenti castri de Mountpoillan⁶⁸ in Vasadesio, super providencia et empcione quorundam victualium pro garnistura dicti castri 50 *li.* monete predicte; Burnetto de Albade, scutifero, super vadiis quorundam hominum ad arma ordinatorum et assignatorum ad commorandum super custodia et defensione ville Brugeraci,⁶⁹ 100 *li.* monete predicte; domino Gilberto de Pelagrua,⁷⁰ militi, domino Daymeth',⁷¹ 11 *li.* monete predicte; domino Arnaldo de Pomeriis, militi, capitaneo ville Regule, super vadiis suis ut in precio unius bacinetti empti apud Burdegalam sibi liberati, 30 *li.* monete predicte Ramundo Bernardo de Les Guardes⁷² et Petro de Puch', scutiferis, custodibus unius porte ville Salve Terre,⁷³ super vadiis suis et quattuor serviencium peditum commorancium super custodia dicte porte 75 *li.* monete predicte; domino Eymerico, domino de Monte Ferando⁷⁴ de Petragor',⁷⁵ baneretto, super vadiis suis et 10 hominum ad arma de retencione sua commorancium super custodia unius fortalicie vocatur Seintcheint [*]⁷⁶ in Petragorum, 147 *li.* monete predicte; Guillelmo More⁷⁷ et Johanni Legge,⁷⁸ custodibus unius porte ville Mon-

67 Langon, dép. Gironde, arr. Bazas.

68 Mount Pouillan, dép. Lot-et-Garonne, arr. Marmande, cant. Meilhan.

69 This is Bergerac, dép. Dordogne.

70 He rendered homage for Somensac castle, on 3 July 1358 (*Foedera*, III, i, 397) and again did homage in 1363-4 (J.-P. Trabut-Cussac, *Le Livre des Hommages d'Aquitaine* (Bordeaux, 1959), 103-05).

71 I am unable to identify this place.

72 A Raymond Bernard, knight, was sent as an envoy of the Black Prince with gifts, as shown in a letter dated 6 Id. December 1364 (*Cal. Pap. Reg.* [1362-1404], p. 13).

73 Sauveterre-de-Guyenne, dép. Gironde, arr. La Réole.

74 Monferrand, dép. Dordogne, arr. Bergerac, c. Beaumont.

75 MS. *Petrag'*. Periqueux, dép. Dordogne.

76 I am unable to identify this word.

77 William More has only appeared once that I have noticed. A writ *de intendendo* was issued on his behalf, as he was made the deputy of William Strete, king's butler. He was to hold the office at Strete's pleasure in the port of Sandwich by letter patent of 21 December 1371 (*C.P.R.* [1370-74], p. 163).

78 John Legge was a regular and long-time servant of the King's Household. He appears in 1362 as a buyer of ale, and was later given a lifetime grant of 100 *s.* per year (*C.P.R.* [1361-64], pp. 273, 279). In June 1363 he was given the appointment of buying poultry for the household (*C.P.R.* [1361-64], p. 321). There is an account for wages paid by him for "soldiers serving by sea," for 46 Edward III (E. 364/4 m. F.).

In 1373 he is referred to as "sergeant of arms," a position he held till after 1381. In this first entry he is commissioned to receive two sons of Charles of Blois, prisoners, from Devizes castle and take them to Nottingham (*Foedera*, III, ii, 988; *C.P.R.* [1370-74], p. 331). He was called upon to aid in the collecting of wheat for the sustaining of Calais, also in 1373 (*C.P.R.* [1370-74], p. 325). A barge was

tis Securi, tam super vadiis suis quam super empcione victualium predicta porta 21 *li.* 5 *s.* monete predictae; Thome de Halton,⁷⁹ scutifero, capitaneo castri et ville de Salvetat de Caumont⁸⁰ in Angennesio, tam super vadiis suis et quorundam sociorum⁸¹ suorum commorancium super defensione et custodia dictorum castri et ville quam super empcione victualium 277 *li.* 10 *s.*; Reginaldo Faure, burgensi ville Sancte Fidis⁸² in Agennesio, super solucione vadiorum quorundam hominum ad arma ordinatorum et assignatorum ad commorandum super custodia dicte ville 100 *li.* dicte monete; domino Theobaldo, domino de Budos,⁸³ super vadiis ut in precio custume 11 tonellorum custumatorum ad custumam cum issac 13 *li.* monete predictae; domino Florimundo, domino de Sparra,⁸⁴ super vadiis suis ut in precio magne

ordered ready for him when he was made deputy to the admiral in 1376 (*Foedera*, III, ii, 1066). He was, along with two others, given warrant to arrest 160 sailors in May 1377 (*Foedera*, III, iii, 1077). On the September following, he was made deputy of Robert de Hales, Admiral to the West of the Thames (*Foedera*, IV, 19). After 1377 he remained as sergeant of arms for the king and also as a surveyor (*C.F.R.* [1377-83], pp. 21, 301). There is a notice concerning the death of his wife, Margery, and the marriage of her daughter, Joan, to William de Weston on 25 October 1381 (*C.F.R.* [1377-83], p. 279).

79 Thomas Halton held the prebend of Sharowe in the collegiate church of Ripon; diocese of York, and exchanged it on his presentation to the church of Slaidburn on 9 May 1371 (*C.P.R.* [1370-74], p. 83). In the same year a reference is made to a "Thomas, son of Thomas de Halton, heir of John de Halton," in the settlement of an estate (*C.P.R.* [1370-74], p. 97). An interesting matter appears in November 1374, when a commission was granted to Halton and another, John Halghton, to lead an army for the king with John, Duke of Brittany. They were given money to pay for the services of his soldiers. John died, and Thomas Halton volunteered to lead in John's place, "But the men refused to go or give up the money paid them." The king then ordered Halton to put in prison all who refused to give back the money (*C.P.R.* [1374-77], p. 58). On 25 May 1375, he was presented to the church of Adel, (Yorks) on an exchange of benefices, thus, surrendering the church of Slaidburn (Yorks) (*C.P.R.* [1374-77], p. 183).

80 Sauvetat-de-Caumont, dép. Lot-et-Garonne, arr. Marmande, cant. Duras.

81 MS. *soc* (underlined) sociorum.

82 Saint-Foy-La-Grande, dép. Gironde, arr. Libourne.

83 Budos, dép. Gironde, arr. Bordeaux, cant. Podensac. Theobald was the heir of Andrew, Lord of Budos, and a loyal supporter of the English. In reward for his services in the fighting of the French, he was granted compensation for his losses. It appears that part of the barony of Portbertram, which he held, was lost. The prévôté of Barsac was granted him for his *boni servicii nobis in guerris nostris*. This position was to be held by liege homage with the right of inheritance to the male heirs allowed (C. 61/86 m. 6; also see Ludham's Particulars, E. 101/179/8.m.4 r. and Wykford's, E. 101/179/14 m. 19 d.).

84 Le Sparre, dép. Gironde. Florimund de Lesparre was head of the main branch of the large and powerful Lesparre family and figured prominently in Gascon affairs. He was a member of the Court of Sovereignty established in 1370 and was reappointed in 1372 (C. 61/85 m. 7; *Foedera*, III, ii, 940). His military exploits were rather unfortunate, though he is mentioned as being a "veteran des guerres d'Orient" (Delachenal, IV, 415-16). He took part in the naval battle off La Rochelle in June 1372 and was captured (*Froissart, Chroniques* [ed. Luce], VIII, 298-300). He was soon released and served as Gaunt's lieutenant in Aquitaine, June 1374—June 1375 (*A.H.G.*, 12, 336-40). He was gover-

custume 11 tonellorum vini missorum versus partes Anglie 11 *li.* monete predicte; Johanni Savage,⁸⁵ scutifero, capitaneo ville Salve Terre, super vadiis suis et quorundam sociorum secum commorantium super custodia dicte ville 75 *li.* monete predicte per supradictas litteras testimoniales predicti domini Thome de Felton', senescalli Aquitanie, dat' 28 die Aprilis dicto anno 47 super hunc compotum liberatas, in quibus inter cetera continetur quod predictus Johannes de Ludham pro maximo negotio custodie patrie per ordinacionem et avisamentum ipsius senescalli et aliorum de consilio dicti domini principis ibidem solvit seperaliter personis predictis summas superius annotatas, particula ex causis predictis et per supradictum breve regis de privato sigillo de allocando litteras testimoniales ipsius senescalli et per 21 litteras acquietancie predictorum Anisancii et aliorum super hunc compotum similiter liberatas sicut continetur in dictis parcellis ipsorum thesaurarii et contrarotulatoris in thesauro liberatis. De quibus quidem summis per ipsos sic receptis predictis dominis Anisancii et alii supradicti seperaliter sunt responsuri. Et respondent infra in 19 particulis. Et solucionem domino Ramundo de Mountbadon', militi, in recompensacionem ballive Sancti Fidis in Agennesio per dictum dominum principem sibi date et concessa ad terminum vite sue, et quia homines dicte ville non permittunt dictum Ramundum percipere proficua dicte ville eo quod convertantur, super custodia dicte ville 59 *li.* 5 *s.* monete predicte; domino Montguion,⁸⁶ in subsidium victualium pro castro suo ibidem, 56 *li.* 10 *s.* monete predicte; Bernardo de la Vale de dono dicti senescalli et aliorum de consilio domini in subsidium

nor of Bordeaux in 1375 during the difficulties in that city caused by the ordinance against the nobility (Chaplais, "A propos de l'ordonnance de 1375," 114). His major duties after that were legal and diplomatic as an envoy or commissioner in peace negotiations. In March 1375, he was representative for a peace with the Count of Foix (*Foedera*, III, ii, 1027); and in June 1375, keeper of the truce in Agenais, after the truce at Bruges (Edouard Perroy, ed., "The Anglo-French Negotiations at Bruges 1374-77," *Camden Miscellany*, 19, Camden Third Series, 80 [London, 1952], p. 23). In December 1376, he journeyed to make an alliance with the King of Navarre (*Foedera*, III, ii, 1069); he was taken captive by the Castilians in 1377 (Perroy, *op. cit.*, 36), and remained a prisoner until his release in 1383, when he went straight to England and was the instigator of moves toward a peace with his former captives (*Rot. Parl.*, III, 148). In April 1383 he treated with Juan I of Castile to arrange a peace (*Foedera*, IV, 165-66). The following July he was given 3,500 marks to distribute among the barons of Aquitaine (*Foedera* [Hague ed.], III, iii, 155). On 17 January 1391 he was commissioned to secure the adherence of the court of Armagnac and the Lord of Albret (*Foedera* [Hague ed.], III, iv, 66). He was granted a safe conduct to come to England on 8 April 1394 (*Foedera* [Hague ed.], IV, 94). For more on the family, see J.-P. Trabut-Cussac, "La seigneurie et les seigneurs de L'Esparre," *Annales du Midi*, 78 (1966), 305-30.

85 A John Savage, squire, is mentioned as nuncio to the King of Navarre in a letter dated 18 December 1375 (Rotour's Particulars, E. 101/180/9 m. 14 d.).

86 Montguyon, dép. Charente maritime, arr. Jonzac.

sustentacionis sue in recompensacionem bonorum suorum perditorum in loco de Montpere tempore capcionis eiusdem, 20 *li.* monete predicte; Ramundo de la Clavie de Montpere, de consimili dono dicti senescalli in subsidium sustentacionis sue, 100 *s.* monete predicte; Arnaldo de Cause,⁸⁷ nuper burgensi de ville Marmande,⁸⁸ de consimili dono dicti senescalli, 15 *li.* monete predicte; et Ademario Faur, scutifero, domini cancellarii Aquitanie,⁸⁹ de consimili dono dicti senescalli in subsidium expensarum suarum eundo de Burdegala versus Roteville 60 *s.* monete predicte, per litteras dictis senescalli et per breve regis supradictum et per 6 acquietancias ipsius domini Ramundi et aliorum super hunc compotum liberatas sicut continetur in parcellis ipsius thesaurarii et contrarotulatoris supradictis. Et solucionem predicto magistro Roberto de Wykford, constabulario Burdegale, in diversis particulis eidem Johanni debitis de remanenciis dicti officii 545 *li.* monete predicte per litteras dicti senescalli predicto Johanni inde directas dat' 16 die Septembris predicto anno 47 super hunc compotum liberatas, per quas mandavit eidem Johanni quod de denariis remanentibus in manibus suis de proficuis et exitibus officii sui predicti liberari faceret eidem con-

87 The only possible reference to him I have found is a commission for "Arnold de Claus, canon of Bordeaux" to hear an appeal of Raymond de Mountout, on 3 June 1366 (*Foedera*, III, ii, 791). Also note that a "Reginald de Claus, canon of Bordeaux," appears as a hearer of appeals in April 1373 (C. 61/86 m. 3).

88 Marmande, dép. Lot-et-Garonne.

89 The title of Chancellor of Gascony appears for the first time in an ordinance of 1320 (*A.M.B., Livre de Coutumes*, p. 633). In the Ordinance of Pontefract (8 February 1323) it was stated that "a suitable person, learned in written law" should be made chancellor and keeper of the seal for Gascony. He was to keep a record of the processes of the seal, and was to be paid according to the issues derived from the seal. But during this period the officials of the Court of Gascony were expanding their duties, and as a result, regardless of the ordinance, these officials incorporated the chancellor's duties. When the Black Prince became Prince of Aquitaine in 1362, he revived the dormant office by appointing Master John Streatley. The Black Prince's last chancellor was the Bishop of Perigueux, who died in late April 1372. Another chancellor appears in an appointment dated 16 April 1372. The abbot of Saint-Maizent was appointed Chancellor of Guyenne, and a duplicate of the great seal of England was to be delivered to him by the Earl of Pembroke. This chancery would not have interfered with that of the Black Prince's though, as it was only concerned with the Court of Sovereignty, set up to hear appeals from the Prince's Gascon courts. This seal met a sorry fate, as it probably went down with most of the English fleet in the battle of La Rochelle, 23 June 1372. The town of Saintes, where the Court of Sovereignty was to have been established, was taken by the French the following September. To complete the picture, the Abbot of Saint-Maizent had swung over to the side of Charles V by January 1373. The court was moved to Bordeaux, where it functioned under a new seal engraved by a Gascon goldsmith. This new *magnum sigillum* was strictly confined to the judicial functions of the court, and no consecutive list of Gascon chancellors appears definable from its use. The office appears again under Henry VI, when a native of Bordeaux was given the position, held circa. 1434-39. For information on the chancellor, see Chaplais, "The Chancery of Guyenne," 63-96.

stabulario 800 vel 700 *li.* monete predicte in auxilium solucionis vadorum hominum ad arma et sagittariorum commorantium super defensione patrie ibidem et per dictum breve de allocando mandata ipsius senescalli ac eciam per indenturam inter dictum constabularium et predictum Johannem inde factam et super hunc compotum liberatum. De quibus quidem 545 *li.* monete predicte predictus magister Robertus est inde responsurus. Et respondet infra.

SUMMA EXPENSARUM 9,254 *li.* 19 *s.* $\frac{1}{2}$ *d.* DICTE MONETE CURRENTIS. ET DEBET 239 *li.* 18 *s.* 7- $\frac{1}{2}$ *d.* MONETE PREDICTE VALENTES 31 *li.* 19 *s.* 9- $\frac{1}{2}$ *d.* QUA ST. ANGLIE. ET RESPONDET ALIBI IN HOC ROTULO IN ITEM ADHUC ITEM LONDON'.

ORNAMENTA CAPELLE IN DICTO CASTRO BURDEGALE ET ALIA REMANENTIA IBIDEM:

Idem nuper thesaurarius onerat se de uno vestimento continenti 2 amittas, 2 albas, 2 stolas, 2 fannilas, 1 casulam, 1 copam, 2 dalmaticas quasi novas; et alia vestimenta quasi perusitate: item corporali vetere, 2 tuallis veteribus, 2 tuallis bonis ad cooperiendum altare, 2 manniciis parvis, 1 frontali ante altare et 1 frontali supra altare de panno serico vetere, 1 capa de panno адаuro vetere sine linura, 1 pulvinari ad ponendum sub libro; item duobus missalibus, 1 legendario de temporali, 1 legendario sanctorum de usu curie Romane, 1 graduale parvo vetere, 1 antiphonario vetere; item 2 coffris coopertis et ligatis de ferro albo, 1 coffra ligata de ferro albo et nigro cum 1 serrura et clavibus, 1 coffra ligata de ferro vetere, 1 coffra sine ligatura et serrura pro libris imponendis, 1 cista rubea de Flandria et 2 cistis veteribus grossis de Flandria; item uno libro scripto de pergamenno vocato le livre noir;⁹⁰ item 1 libro de papiro vacato le livre rouge;⁹¹ item quattuor libris extractis de

90 For details concerning the *livre noir*, see above p. 241, n. 31. This reference, coupled with the other pieces of this inventory, are the most interesting materials of the archives then at Bordeaux. Research in this area has been done by several scholars. See V. H. Galbraith, "The Tower as an Exchequer Record Office in the Reign of Edward II," *Essays In Medieval History Presented to T. F. Tout*, (Manchester, 1925), pp. 231-47; M. Gouron, "Essai de reconstitution du trésor des chartes du château de Bordeaux et de son mobilier au Moyen Age," *R.H.B.*, (1933), nos. 4, 145-59 and 5, 195-215. G. P. Cuttino, ed. *The Gascon Calendar of 1322*, Camden Third Series, Vol. 70 (London, 1949); J.-P. Trabut-Cussac, "Les Cartulaires gascons d'Edouard II, d'Edouard III, et de Charles VII," *Bibliothèque de l'École des Chartes*, 111 (1953), pp. 65-106; Trabut-Cussac, "Les Archives de la Gascogne anglaise; essai d'histoire et d'inventaire sommaire," *R.H.B.*, 5 (1956), pp. 69-82; and G. P. Cuttino, "The Archives of Gascony Under English Rule," *The American Archivist* (July 1962), pp. 315-21.

91 Information on this "red book" appears at the hand of M. Guoron, who notes that two "livre rouges" were made between 1310 and 1379. They both contained recognitions of feudal dues and

thesauraria Anglie de diversis memorandis tangentibus ducatum Aquitanie titulatis per A. B. C. D.⁹² et 22 quaternis de pergamento extractis pro copia libri⁹³ titulati per [A.] facienda;⁹⁴ item uno registro de pergamento continenti 11 quaternos et dimidium de diversis libertatibus, donacionibus et concessionibus factis per regem Anglie;⁹⁵ item 2 cavillis grossis de ferro pro magnis enginuis; item quattuor lapidibus magnis de alabaistro;⁹⁶ item 7 balistis grossis et 420 quarellis grossis.

are not mentioned after 1440 (Gouron, "Essai de Reconstitution de Tresor des Chartes du Chateau de Bordeaux et de son mobilier au Moyen âge," *R.H.B.*, n. 5 [1933], p. 207, and Robertson, "Rotour and Loryng," p. 45, n. 76). Cuttino also mentions that there is a "paper book bound in red in which are contained the *facta* of Gascony pertaining to the king." He records its appearance in the accounts between 1354-87. For their subsequent disappearance he notes: "The most likely explanation of their disappearance is suggested in letters of Edward III dated at Clarendon on December 3, 1331, addressed to the seneschal and constable, ordering that in the future officials on leaving office must surrender to the constable by indenture registers, papers, and other memoranda in any way touching their offices, which they had been accustomed in the past to take with them as their own property." He notes this regulation as one that was probably very difficult to enforce (Cuttino, "The Archives of Gascony Under English Rule," pp. 320-21).

92 These four registers were compiled partly to ease the English negotiations with the French at Perigueux in 1311. They supplied the commissioners with information regarding the holdings of land, etc. and also, since no registers of homages, dues or extents were to be found in the archives there later than 1303, no other sources were available. As a result, between 29 November 1318 and 6 March 1319, Master John Hildesle and 14 clerks copied documents in the Wardrobe and Exchequer relating to Gascony. These were given to the new seneschal on his voyage to Gascony. Here they were found to be full of errors and so returned to England for correction (24 November 1319). In London they went to the Wardrobe and were bound in five volumes, lettered A through E. The sole survivor of these (Liber A) ended up in the collection of Sir Robert Cotton, and is recorded in the British Museum as MS. Julius E. 1. For an unknown reason, a second series of registers was ordered compiled, and accomplished between 12 July 1354 and 30 January 1355. Master Andrew Ufford and a staff of clerks copied four of the 1318-19 registers and bound them in boiled red leather, listing them as A, B, C, D. Soon they were being mentioned in the accounts of the constables of Bordeaux (e.g. John Streatley, 1354-61). At some date after 1463 they were transferred to the Chambre des Comptes in Paris. Only one, Liber B, managed to survive this new repository. It was carried to the library of the dukes of Brunswick shortly after 1600 and cataloged as Wolfenbüttel MS. 2311. It was edited in 1914, though incorrectly identified (Charles Bémont, ed., *Recueil d'actes relatifs à l'administration des rois d'Angleterre en Guyenne au XIII^e siècle: Recogniciones feodorum in Aquitania* [Paris: Documents ineditis, 1914]. At present then, only two of the original five registers are extant: Liber A of the originals made in 1318-19; Liber B, a copy of A, made in 1354-55. See Cuttino, "The Archives of Gascony Under English Rule," pp. 315-21.

93 MS. *libro*, *o* underlined and replaced by *i*.

94 These unbound leaves are mentioned by Gouron, but not identified. He notes their appearance in the accounts from 1377 [sic] to 1440 (Gouron, "Essai de reconstitution," 207).

95 This register is also noted by Gouron, with no identification save that it was written before 1377. (*Ibid.*)

96 See R. E. Latham, *Revised Medieval Latin Word-List*, s.v. "arbalista". These four stones are mentioned as being in the "grande salle", where the wine custom was assessed. (*Ibid.*, 212; and n. 4).

EXITUS ORNAMENTARUM ET ALIARUM RERUM PREDICTARUM⁹⁷

Et idem thesaurarius computatse liberasse predicto magistro de Wykford, constabulario, predictum vestimentum et omnia ornamenta et alia supradicta per breve dicti regis Edwardi avi regis huius patens de magno sigillo dicto nuper thesaurario regenti officium constabularii Burdegale⁹⁸ directum dat' 7 die Marcii dicto anno 47 et super hunc compotum liberatum, per quod idem rex avus mandavit eidem nuper thesaurario quod eidem magistro Roberto custodiam et officium constabularii regis Burdegale cum clavibus, rotulis, papiris, memorandis et omnibus aliis officium illud tangentibus in custodia sua existentibus per indenturam inde inter ipsum nuper thesaurarium et dictum Robertum conficiendam liberet et per indenturam inter eos inde factas super hunc compotum liberatam. De quibus quidem vestimento et aliis ornamentis et rebus supradictis predictus magister Robertus est responsurus. Et respondet infra.

Ricardus de Suddebury,⁹⁹ receptor denariorum proveniencium de exitibus senescalcie Landarum¹⁰⁰ de exitibus omnium prepositurarum, ballivarum, et huiusmodi per tempus huius compoti sicut supra continetur.

Dominus Anisancius de Caumont, dominus de Combaben banerettus, debet respondere de predictis 625 *li.* monete predictae valentibus 83 *li.* 6 *s.* 8 *d. st.* Anglie receptis de predicto nuper thesaurario super vadiis suis et hominum suorum sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Dominus Bertrandus de Francs, miles, castellanus castri Regule, debet respondere de predictis 126 *li.* monete predictae valentibus 16 *li.* 16 *s.* *st.* receptis de eodem nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Dominus Johannes de Lobenx, miles capitaneus ville Montis Securi, debet respondere de predictis 112 *li.* 10 *s.* valentibus 15 *li.* *st.* receptis de eodem nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Idem dominus Johannes debet respondere de predictis 25 *li.* monete predictae valentibus 66 *s.* 8 *d. st.* receptis de eodem nuper thesaurario

97 The heading has been reconstructed.

98 For a fuller explanation of Ludham as regent of the office of constable, see above p. 000.

99 It is unclear why *Ricardus* is mentioned here while *Nicholas* was used previously.

100 A space appears here, ostensibly for the insertion of *debet respondere*.

sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Dominus Bertricus de Lebreto, banerettus, debet respondere de predictis 633 *li.* 10 *s.* monete predicte valentibus 84 *li.* 9 *s.* 4 *d.* *st.* receptis de eodem nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Dominus Bertrandus de Pomeriis, miles, capitaneus ville Sancti Makarii, debet respondere de predictis 12 *li.* 10 *s.*¹⁰¹ monete predicte valentibus 33 *s.* 4 *d.*¹⁰² *st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Petrus de Lyngham, scutifer, capitaneus castri et ville de Lenquomio, debet respondere de predictis 12 *li.* monete predicte valentibus 32 *s.* *st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Ricardus de Tilbury, scutifer, locum tenens castri de Montpoillan in Vasadesio, debet respondere de predictis 50 *li.* monete predicte valentibus 6 *li.* 13 *s.* 4 *d.* *st.* receptis predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc London'.

Burnetus de Bealkade, scutifer, debet respondere de predictis 100 *li.* monete predicte valentibus 13 *li.* 6 *s.* 8 *d.* *st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Dominus Gilbertus de Pelagrúa, miles Anglie de Daymeth', debet respondere de predictis 11 *li.* monete predicte valentibus 29 *s.* 4 *d.* *st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Dominus Arnaldus de Pomeriis, miles, capitaneus ville Regule, debet respondere de predictis 30 *li.* monete predicte valentibus 4 *li.* *st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Ramundus Bernard de les Guardes et Petrus de Puch', scutiferi, custodes unius porte ville Salve Terre, debent respondere de predictis 75 *li.* monete predicte valentibus 10 *li.* *st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondent in rotulo decimo in adhuc item London'.

Eymerico, dominus de Monte Ferrando de Petragor',¹⁰³ banerettus,

101 MS. 10 *s.*, interlinear, with carat.

102 MS. 4 *d.*, interlinear, with carat.

103 MS. *Petag'*.

debet respondere de predictis 147 *li.* monete predicte valentibus 19 *li.* 12 *s. st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Guillelmus More et Johannes Legg, custodes unius porte ville Montis Securi, debent respondere de predictis 21 *li.* 5 *s.* monete predicte valentibus 56 *s.* 4 *d. st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.¹⁰⁴

Thomas de Halton, scutifer, capitaneus castri et ville de Salvetat de Camount in Agennesio, debet respondere,¹⁰⁵ de predictis 277 *li.* 10 *s.* monete predicte valentibus 37 *li. st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Reginaldus Faure, burgensis ville Sancte Fidis in Agennesio, debet respondere de predictis 100 *li.* monete predicte valentibus 13 *li.* 6 *s.* 8 *d. st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.¹⁰⁶

Dominus Theobaldus, dominus de Budos, debet respondere de predictis 13 *li.* monete predicte valentibus 34 *s.* 4 *d. st.* receptis de eodem nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Dominus Florimundus, dominus de Sparra debet respondere de predictis 11 *li.* monete predicte valentibus 29 *s.* 4 *d. st.* receptis de eodem nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Johannes Savage, scutifer, capitaneus ville Salve Terre, debet respondere de predictis 75 *li.* monete predicte valentibus 10 *li. st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in rotulo decimo in adhuc item London'.

Magister Robertus Wykford, constabularius Burdegale, debet respondere de predictis 545 *li.* monete predicte valentibus 72 *li.* 13 *s.* 4 *d. st.* receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in compoto suo inde rotulo sequenti rotulo compotorum. Et quietus est.

Idem magister Robertus debet respondere de uno vestimento contineti 2 amittas, 2 albas, 2 stolas, 2 fannillas, 1 casulam, 1 capam, 2

¹⁰⁴ "Respice in dorso rotuli," appears centered at the foot of the pell. The main text continues on the dorse in the same hand, though more closely written. Only the first 15 cm. of the dorse belong to Ludham's account.

¹⁰⁵ MS. *debet respondere*, interlinear, with carat.

¹⁰⁶ MS. *item London'* interlinear, without carat.

dalmaticas de panno serico cheketto liniatas cum carde unde capa et dalmatice quasi nove; et alio vestimento quasi perusitato: item 1 corporali vetere, 2 tuailis veteribus, 2 tuailis bonis ad cooperiendum altare, 2¹⁰⁷ mancitis parvis, 1 frontali ante altare et 1 frontali super altare de panno serico vetere, 1 capa de panno адауро vetere sine linura, 1 pulvinari¹⁰⁸ ad ponendum sub libro; item 2 missalibus, 1 legendario de temporalibus, 1 legendario sanctorum de usu curie Romane, 1 gradualibus parvis vetere, 1 antiphonario vetere; item 2 coffris grossis coopertis et ligatis de ferro albo, 1 coffra ligata de ferro albo et nigro cum 1 serrura et clavibus, 1 coffra ligata de ferro vetere, 1 coffra sine ligatura et serrura pro libris imponendis, 1 cista rubea de Flandria et 2 cistis veteribus grossis de Flandria; item uno libro scripto de pergameno vocato de livre noir; item uno libro de papiro vocato le livre rouge; item quattuor libris extractis de thesauria Anglie de diversis memorandis tangentibus ducatum Aguitanie titulatis per A. B. C. D. et 22 quaternis de pergameno extractis pro copia libri titulati per A. facienda; item 1 registro de pergameno continenti 11 quaternos et dimidium de diversis libertatibus, donacionibus et concessionibus factis per regem Anglie; item 2 cavillis grossis de ferro pro magnis enginuis; item quattuor lapidibus magnis de alabaistro; item 7 balistis grossis et 420 quarellis grossis receptis de predicto nuper thesaurario sicut continetur ibidem. Et respondet in compoto suo inde rotulo sequenti rotulo compotorum. Et quietus est.

Cleveland State University.

(to be continued).

107 MS. 2, interlinear, with carat.

108 MS. *pulvinari*, has one extra minim.

109 MS. *plano*.

MIDDLE ENGLISH TRANSLATIONS OF *DE EXTERIORIS ET INTERIORIS HOMINIS COMPOSITIONE*

P. S. Jolliffe

Two Middle English texts of a long treatise in three books are extant in Queens' College Cambridge MS 31, ff. 1r-205v and in University Library Cambridge MS Dd. 2.33, ff. 5r-193r. Both texts state that the treatise, which is addressed to Religious, was originally composed in Latin and was called *Formula noviciorum*.¹ A somewhat shortened Middle English text of Book I occurs in British Museum Arundel MS 197, ff. 48r-64r, carrying the heading "An abstracte owte of a boke þat is callid formula nouiciorum."² Two brief extracts in Middle English from the treatise have also been identified.³ Extant Latin texts of the treatise are more numerous, particularly on the Continent.

The complete treatise consists of three books, the first two of which are further divided into two parts. Migne prints a Latin text of Book I under the title *Formula Novitiorum*, noting that it has been attributed to Bernard of Clairvaux, David of Augsburg and Berthold of Ratisbon.⁴ The translator's preface to the Middle English versions indicates that the "auctors name ys vnkownen as wele to many of my betters as to me,"⁵ and confirms that the title properly belongs to Book I only:

In this booke ar conteyned thre lasse bookes wherof the Fyrste ys called Formula nouiciorum, that ys to sey, the instruccion of nouyces. And aftyr

¹ Queens' College Cambridge MS 31, col. 3.

The first part of this manuscript is numbered by columns, and the rest of it by pages. Attempts have been made to achieve consistent numbering, without success. The column and page numbers, which are the most legible of these attempts, are those referred to in this article; Cited as: Q.C.C. MS 31.

University Library Cambridge MS Dd. 2.33, f. 5r. Cited as: U.L.C. MS Dd. 2.33.

The research which this article reports has been aided by a grant from the Central Research Fund of the University of London.

² British Museum Arundel MS 197, f. 48r. Cited as: Arundel MS 197.

³ One extract occurs in University Library Cambridge MS Mm. 5.37, f. 135r. and in Bodleian MS Ashmole 41, f. 135v. Cited as: U.L.C. MS Mm. 5.37. Ashmole MS 41. The other is in Ashmole MS 41, f. 135r-v.

⁴ Migne, *PL*, 184, 1189-1198; 1189-90.

⁵ Q.C.C. MS 31, col. 2.

that as a bygynnyng of all the remenant, the hole volume ys commonlye called Formula nouiciorum.⁶

It will be shown that the treatise is in fact *De Exterioris et Interioris Hominis Compositione*, widely accepted as the work of the thirteenth-century Franciscan friar, David of Augsburg.⁷

The purpose of this article is not to reexamine the conclusions of the Quaracchi editors as to the authorship and integrity of the text of *De Exterioris et Interioris Hominis Compositione*. They note that David of Augsburg's authorship of Books II and III is not seriously questioned, and after noting the claims of other writers to Book I, conclude that all three books are by the same author.⁸ Basing their opinion upon the prologue to Book II and upon a study of the three books, they state:

Ex eodem prologo patet, opus conflatum esse ex collationibus, quas David tum ad novitios tum ad alios Religiosos voce facere solebat. Hac ratione et illa altera, quae probabilissima est, non eodem tempore partes huius operis scriptas et publicatas esse, satis explicatur illa operis proprietates, quod materia re vera non sit perfecte ordinata nec careat pluribus repetitionibus.⁹

The intention in the article is rather to show that the Middle English *Formula noviciorum* is a translation of *De Exterioris et Interioris Hominis Compositione*; and to make some comment upon the Middle English texts, and upon the significance of the purpose expressed in the preface to the Queens' College text. Two observations arising from this study do, however, have some slight relevance to the Quaracchi edition: the "Epistola Auctoris" which the editors elected to print at the beginning

6 Q.C.C. MS 31, col. 3.

It has not been possible to treat all "h" and "ff", and all flourishes to final "g", "m", "n", "r" and "t" consistently in transcribing the text. All except the "r" have been ignored. The context has usually required suspension marks over "o" and final "con" to be taken into account.

Minor changes in punctuation and capitals have been made to make reading easier.

7 v. Lederq, J., Vandenbroucke, F. and Bouyer, L.: *The Spirituality of the Middle Ages* (London, 1968), p. 302.

The note above col. 2 in Q.C.C. MS 31 also indicates that the *Formula* is the work of "David. ord. Minoris."

The Latin text employed in this article is that of the Quaracchi edition,

David of Augsburg: *De Exterioris et Interioris Hominis Compositione secundum triplicem statum Incipientium, Proficientium et Perfectorum* (Quaracchi, 1899). Cited as: Quaracchi, *De Exterioris*.

There is a translation in modern English,

David of Augsburg: *Spiritual Life and Progress*, transl. D. Devas (London, 1937), i & ii. Cited as: Devas, *De Exterioris*.

8 Quaracchi, *De Exterioris*, pp. ix-xviii.

9 Quaracchi, *De Exterioris*, p. xiii.

of the treatise does not occur in either of the full Middle English texts;¹⁰ and the existence of Middle English translations of all three books as one treatise is consistent with their assumption of single authorship.

I

The writer of the preface in U.L.C. MS Dd. 2.33 concludes with an outline of the treatise:

This werke is dividyd in to iii bokes for the erudicion & lernyng of the iii states of religion: that is the state of novices or yong begynneres; the state of them that profettith in vertue & holynes of lyvyng; & the state of them that be perfyght in religioun & holy. The first boke is callyd (as we seyde) the instruccion of novices, for in it is shewyd how such yong begynneres shuld grow to perfeccion & holy lyvyng. The secund is callyd the reformation of the soule, for in it is shewid how a religiouse person shuld reforme that in hym is ordryd & so begyn to profett & grow in vertu. And the iiid boke is callyd the profettyng in religion, for in it is shewyd how a religiouse person shuld profett & encesse in perfeccion & holynes of lyvyng. The first boke is dividyd in to two partes, & so is also the secund; & ech of these partes is dividyd in to many chapters. And the iiid boke is dividyd or partyd in to vii processys & iiid of the last processys be dyvyded in to many chapteres.¹¹

This outline, which does not occur in such detail in the Queens' College manuscript and has no parallel in *De Exterioris et Interioris Hominis Compositione*, does attempt to relate the three books to the three states within the Religious Life indicated in the full title of the Latin treatise, *De Exterioris et Interioris Hominis Compositione secundum Triplicem Statum Incipientium, Proficientium et Perfectorum*, according to the headings given to the three Latin books: "Formula de compositione hominis exterioris ad novitios;" "Formula de interioris hominis reformatione ad proficientes;" and "De septem processibus Religiosorum" whereby the proficient are brought to perfection.¹² Perhaps the most helpful description of the three states is to be found in Book II part I chapter 4,¹³ where three kinds of religious are distinguished:

¹⁰ Quaracchi, *De Exterioris*, p. 1.

¹¹ U.L.C. MS Dd. 2.33, f. 5r-v.

This text is used only when it is necessary to compare it with the Q.C.C. MS 31 text, or when, as here, it contains relevant material which is not available in the other text.

In transcribing the text, final flourishes "H", "H", and suspension marks have not been taken into account, except for the flourish to final "r", and the suspension mark over "o" when the spelling requires it. Minor changes in punctuation and capitals have been made to make reading easier.

¹² Quaracchi, *De Exterioris*, pp. 3, 63 and 161.

¹³ This corresponds to chapter 3 of the Latin text. Unless otherwise indicated, chapter divisions employed are those in Q.C.C. MS 31.

Therefore the furste Religiouse ar tho that refuseth hygh and harde studies of holynesse, but wounte them selfe to lyght exercises and kepyth a laxer and a remysse lyve as entendinge to thoo profiteys of body as moche as they maye savyng the helth of the sowle; to whom yt sufficeth that they kepe them onely fro dedly synne Neuerthelater suche folke leste they be vnreligiouse ar wonte to doo grete violence and grete diligence in owtewarde obseruances and in mannes tradicions ... that representen a spice of religiosite owtewarde The seconde religiouse ar ... they that kepyth and harde lyve in bodily exercitacion, tormentyng thei bodies wyth fastynges wakynges and other bodily laboures, and accompten that for the hyghest thynges amonge religiouse obseruances. And they beyng ignorant of all inwarde swetnesse sett lytell pryce by the very studies of vertues, the whyche ar in spiryte and in the mynde Theys represented the meane estate bytwyxe the hygheste and the loweste in the study of vertues The thyrde and the beste ar ... they that studyeth to compovne the Inwarde man wher crysten dwelleth by feyth and hamyte them selfe to verry vertues and to take by the roote the vyces of the fleshe and of the spirite, and myghtily to fyght ayenst the vii dedly synnes and to sowe in ther sowles vii vertues contrary, Mekenesse charite Myldenesse deuocion largenesse sobrenes and chastite. Theys vertues ar the veray seyntuary and he that hath them ys holy By pacience that as Seynt James saythe hath a perfyte werke they compovne and ordeyne them selfe anenste god and and thei nyghtboure In vertues as they owe to doo The burdons of theys ... were of harde matier but they were preciose, holy, inwarde, sett wythin the tabernacle so studiouse of spirituall vertues ar harde and laborouse to them that ar imperfyte yett. But they ar noble in worthynes of oneste; And holy for they make holy; and inwarde for they ar withynne in the mynde in the inwarde man. But yett they bare them veyled and couered, for all the whyle that we be here, we goo by feyth and not by open syght. We see not yett the very beaute of vertues, as yt ys in hawntyng of outewarde werkes. We moste nedes vnwrappe them as wele for oure owne exercise as for the ensample and exercise of other. But owre mynde they may not see but by the steppes of oure werkes and of our manyers.

Of this third kind of Religious the most advanced are:

contemplatyve peple, for onely vertuouse men encreasen to the grace of contemplacion; for as for a rewarde of spirituall study they receyue inwarde the vnion of the holy gooste, that they so illuminate may see the secretes of heven, the whyche are hyde frome other. Theys laboureth nott nowe in the study of vertue, the whyche ys by tokened by the laboure of beryng, for now by the swetnes of inwarde wysdome labour ys tourned in to delectacion through the love of god.¹⁴

¹⁴ Q.C.C. MS 31, pp. 152-157. cf. Quaracchi, *De Exterioris*, pp. 79-83.

When to this distinction is added the explanation with which Book II begins, the plan on which the treatise has been ordered becomes clearer:

Ther ys a reason why that corporall excitacion goyth byfore spirituall. For man, fallynge from hyghe thynges and inwarde thynges throwgh synne, ys slyden in to owtewarde and visible thynges. And for as muche as he vnderstandyth now but bodily thynges, therfore he laboureth to ryse furste where he fell, and so litell and litell reyse vp hym self to spirituall thynges and goodely thynges to the whyche he was made. Therfor as longe as the religiouse man desireth the world, not to vnderstande nor to sauore the thynges that longeth to the spirit of god, but weneth that all perfyte religion standyth in owtewarde obseruance, he ys but a nouyce thoo he haue longe tyme dwelled in religiouse habite.¹⁵

The first book deals with the externals of the Religious Life which those who are new to it must know and to which they must conform. Part I is little more than a series of rules of conduct; while part II, which may well have been composed originally as a separate collection of instructions,¹⁶ outlines certain principles of behaviour for Religious which, by inference, can be applied to the preceding rules. Although the book is addressed to novices and those recently professed, it obviously would appeal more than the other two books to those who think "that all perfyte religion standyth in owtewarde obseruance," having "greate diligence in owtewarde obseruances and in mannes tradicions."

The title of Book II, "the reformation of mannes sowle," indicates its theme. The Religious who has become habituated to the externals of his life must come to be in spirit what his bodily actions profess. Thus part I raises this challenge; distinguishes between the kinds of Religious; and outlines the nature, perversion and process of restoration of man's mind, will, reason and appetites. Part II, called "The destructory of vices (after Bonaventure)" in the University Library text,¹⁷ discusses the ways in which the seven deadly sins manifest themselves in the Religious Life and suggests how they may be overcome. It might well be said of those who address themselves to this work that they "kepyth an harde lyve in bodily exercitacion."

Book III, called "of Profitynge of religion," is more than half the length of the treatise and deals with the processes by which the spiritual

¹⁵ Q.C.C. MS 31, cols. 129-130. cf. Quaracchi, *De Exterioris*, p. 65.

¹⁶ cf. Quaracchi, *De Exterioris*, pp. xiv-xv.

¹⁷ U.L.C. MS Dd. 2.33, f. 59r.

life of the Religious is brought to perfection. The first three processes, as they are called, are brief, speaking of the fervour and bodily effort needed by the Religious to grow and the "infusion of goostely comferte"¹⁸ which God bestows to lead and encourage him. The fourth process teaches of the "temptacions and fyghtyng and tribulacion, through the whiche man ys preved and purged, taught and made meeke,"¹⁹ while the fifth suggests the "spirituall remedies"²⁰ which can cure a man from the sickness of sin and the sixth draws him to God as he grows in virtue. The final process leads the Religious from "the perfeccion of actyfe lyfe" to "the profitynge of contemplatyve lyve":

In profitynge of contemplacion standeth the vii state of religion, that ys the proces of sapience, havyng lyght of vnderstandynge and savour of inward swetnes. Sapience after hys name ys called a savory kunnyng. Ytt ys seyd afore that the perfeccion of spirituall lyve standeth in thre thynges principally: in illumination of reason; in evynesse of the wyll; and in continuell mynde of god that oure mynde continually and besily intende into god and clyfe faste to hym.²¹

Thus Book III describes the way by which a man is brought to the holiness of life which characterises the "thryde and the beste" kind of Religious.

The teaching in the treatise has been described in some detail; first, in order to point out its distinctive pattern, and second, in order to indicate that this pattern in all its details is as true of both Middle English texts of the long treatise called *Formula noviciorum* as it is of David of Augsburg's *De Exterioris et Interioris Hominis Compositione*. The exact agreement in the content and arrangement of the teaching establishes beyond question that the "lytell booke called Formula nouiciorum" which the translator refers to in his preface²² is the treatise attributed to David of Augsburg.

A comparison between the two Middle English texts of the full treatise makes it clear that they may be considered different translations of the Latin.²³ As the Queens' College text is certainly the more literal translation, it is employed in this study to establish the degree of correspondence between the Latin and Middle English versions.

¹⁸ Q.C.C. MS 31, p. 245.

¹⁹ Q.C.C. MS 31, p. 249.

²⁰ Q.C.C. MS 31, p. 275.

²¹ Q.C.C. MS 31, pp. 390-391.

²² Q.C.C. MS 31, col. 2.

²³ v. *infra*, pp. 268-270.

Although it is impossible to be sure of the Latin text from which either translation was made, the remarkably close agreement between the Queens' College text and the Quaracchi edition indicates that this translation is very close and literal indeed. Several typical passages are sufficient to illustrate this:

Quaracchi

Noli otiosus sedere et intendere rumoribus et fabulis, quia duplex in hoc malum contrahis: perdis enim tempus inutiliter, et verecundiae tuae et humilitatis patieris detrimentum ex tali consuetudine. Insuper non bonum dabis ex hoc aliis exemplum.²⁴

Q.C.C. MS 31

Wyll thou not to sytte²⁵ ydell and to entende to tythynges and to fables, for heryn thou takest double harme. For thowe spendeste thy tyme vnprofitably and shalte hynder thy shamefastenes in customynge therof. And furthermore thou yeue noo goode ensample to othere.²⁶

Quaracchi

Dicto de illis, quae ad *affectum* specialius spectant, vivendum breviter de his, quae in spiritualibus experiētiis magis pertinent ad *intellectum*, ut sunt revelationes secretorum et visiones vel imaginariae demonstrationes, in quibus quidam de veritate aliquando erudiuntur, et plurimi deluduntur. His autem tanto minus immorandum est, quanto frequentius eis innitentes decipiunt, et quanto minor est in talibus profectus, etiam cum vera sunt, licet a rudibus et spiritualium charismatum ignaris magnae sanctitatis et sapientiae virtus in huiusmodi consistere aestimetur.²⁷

Q.C.C. MS 31

Spoken byfore tyme of tho thynges that longeth moste specialy to the affection, yt ys to se compendiously of tho thynges that in spirituall experience longeth more to the vndurstandynge, as ar reuelacions of secreteys, visions and ymaginarie shewynges or demonstracions, wherin sume men sumtyme ar lerned of the truoth and sume ar deluded. Ytt ys soo muche the lasse to abyde vpon them that ofte tymes they descyve them that leyne to them, and that ther ys litell profite in them though they be true thought rude peple havynge litell knowynge of spirituall graces deme that herein standeth the vertu of wysdam and of greate holyness.²⁸

Both these passages contain instances where Latin constructions are translated too literally. Throughout the treatise, moreover, words are frequently retained in the Latin order; and there are instances where

²⁴ p. 24.

²⁵ MS reads "spytte".

²⁶ col. 50.

²⁷ pp. 355-356.

²⁸ p. 455.

not only Latin technical terms but other Latin words are not so much translated as retained in an anglicised form:

Quaracchi

Iudicium temerarium est, quando credo, aliquid factum esse mala intentione²⁹

Q.C.C. MS 31

Temerary Iugement ys when I byleve any thyng to be doone wyth evyll intencion³⁰

Quaracchi

et quod est admodum praecipuum indicium divinae dignationis et dilectionis ad hominem³¹

Q.C.C. MS 31

And the whyche ys in maner the chyef token of goddes dignacion of love towarde mankynde³²

Quaracchi

et intellectum illuminat et Dei amorem infundit³³

Q.C.C. MS 31

Illumyneth the vnderstondyng And infoundeth in the love of god³⁴

The difference between the two texts are minor. First, the longest omissions from the Middle English text are the "Epistola Auctoris" which the Quaracchi editors have placed at the beginning of their text, the "Epistola Altera Auctoris" before Book II, and the "Prologus" to Book II.³⁵ Second, the English text omits the final paragraph in the Latin Book III, process VII chapter 64³⁶ and the final paragraph in the Latin treatise.³⁷ Third, it occasionally omits short passages: sentences,³⁸ clauses or phrases,³⁹ Latin verse⁴⁰ and scriptural quotations.⁴¹ Fourth,

29 p. 70.

30 col. 142.

31 p. 14.

32 cols. 28-29.

33 p. 159.

34 p. 239.

35 Quaracchi, *De Exterioris*, pp. 1, 59-64.

36 Quaracchi, *De Exterioris*, p. 351. Both English texts omit the paragraph commencing, "*Liquefactio autem animae*" (cf. *Q.C.C. MS 31*, p. 450).

37 Quaracchi, *De Exterioris*, p. 378. cf. *Q.C.C. MS 31*, p. 481. *U.L.C. MS Dd. 2.33* retains this paragraph.

38 e.g. *Q.C.C. MS 31*, col. 14 omits "*Inclina te devote et non circumspicias hinc inde, nisi quantum necesse fuerit.*" (Quaracchi, *De Exterioris*, p. 8).

39 e.g. *Q.C.C. MS 31*, p. 317 omits "*si autem tu studueris servire ei pro velle suo, ipse remunerabit te pro omni desiderio tuo*" (Quaracchi, *De Exterioris*, p. 230).

40 e.g. *Q.C.C. MS 31*, col. 103 omits

"Esse reprehensor, adulator, laudis amator

Noli, sic pura tibi mens erit atque quieta." (Quaracchi, *De Exterioris*, p. 48).

41 e.g. *Q.C.C. MS 31*, p. 284 omits the quotation from Jeremiah xlviii: 36 & 38 in Quaracchi, *De Exterioris*, p. 200.

although it agrees with the Latin division into books, parts and processes, the English text employs different chapter divisions and titles; but as the first Latin texts did not contain the Quaracchi chapter divisions, this difference is unimportant.⁴² Fifth, in one instance the English extensively summarises the Latin text: Book II part II chapter 48 conflates chapter 47 of the Latin, "Quae sunt remedia gulae" with a brief summary of chapter 46, "Gula habet quatuor species."⁴³ Sixth, it occasionally changes the order of material in a chapter: for instance, the four sentences which conclude chapter 21 of the Latin text of Book III appear in the Middle English chapter 23 between the material on Avarice and Curiosity.⁴⁴ Seventh, the translation sometimes alters the meaning of the Latin, as in Book I part I chapter 17:

Quaracchi

In exterioribus moribus inter Fratres habe te graciosum, verecundum et modeste affabilem et dulciter seriosum, ut et disciplinam conserves et tamen ex austeritate non sis onerosus aliis.⁴⁵

Q.C.C. MS 31

Amonge thy brethern shew thy self wyth a godely shamefastnes, graciouse and wyth myldenes and softenes fayre speches and wyth swetnes profitable in spekyng not encoumebrouse to other.⁴⁶

Eighth, sentences, words or scriptural quotations are occasionally added in the English.⁴⁷ They do not, however, change the teaching of the treatise significantly. Finally, the two full Middle English texts add a preface, purporting to be that of the translator. Although in each it begins in the same way,

As the wyse man sayeth in the booke of sapience, By the Envye of the deuell deth entrede into thys worlde and that In thys maner, as doctours sayeth ...,⁴⁸

and there is some agreement on its content, the relationship between the two versions of it is not clear. No such preface appears in the Quaracchi edition.

⁴² Devas, *De Exterioris*, p. xiii.

⁴³ Q.C.C. MS 31, p. 219; Quaracchi, *De Exterioris*, pp. 140-141.

⁴⁴ Q.C.C. MS 31, pp. 291-292, "Who so that woll not putt oute ... of evyll thowghtes" and Quaracchi, *De Exterioris*, p. 207, "Qui ergo bonum ... de cogitationibus malis."

⁴⁵ p. 19.

⁴⁶ col. 39.

⁴⁷ e.g. Q.C.C. MS 31, p. 186 "And that more ys the spirituall inebriacion of suche desire of swetnes" (cf. Quaracchi, *De Exterioris*, p. 110). Q.C.C. MS 31 adds (p. 207) the quotation from Proverbs xvii: 14 which is not in Quaracchi, *De Exterioris*, p. 130.

⁴⁸ Q.C.C. MS 31, col. 1; U.L.C. MS Dd. 2.33, f. 5r.

Compared with the similarities between the Latin and Middle English texts, the differences between them are unimportant and some at least must be due to differences in the Latin text from which the translation was made: the Middle English *Formula noviciorum* is certainly a translation of *De Exterioris et Interioris Hominis Compositione*.

II

The Queens' College text has been used for comparison with the Latin because this translation is closer to the original and therefore affords a better opportunity to identify one with the other. While the two Middle English versions are recognisably the same treatise, having an almost identical range of teaching apportioned in three books of which the first two have two parts and the third seven processes, the differences between them are such that they must be accounted separate translations.

Whereas the Queens' College version is addressed to all Religious, and also to "all other that desireth to be seruantes of god,"⁴⁹ the University Library text was written "by the hond of Thomas prestius brother of Syon"⁵⁰ and addressed specifically to sisters. As a result, it omits the passage on serving at Mass and the advice beginning "Desire not to be a prechowre not a confessour ...," which both the Latin and Queens' College texts contain;⁵¹ it changes the application of teaching upon relations between the sexes to suit women;⁵² and it alters the frequency of confession from thrice to once weekly.⁵³ Of the two major omissions noted in the Queens' College text, it agrees in omitting the first paragraph, but retains the concluding passage of the treatise.⁵⁴ Where the Quaracchi and Queens' College texts differ it sometimes agrees with the Latin⁵⁵ and sometimes with the Middle English.⁵⁶ It

49 col. 3.

50 f. 193r. The manuscript, dating from early in the sixteenth century, is later than the fifteenth-century Q.C.C. MS 31, and its language also is later. This does not mean that the Syon revision of the *Formula* necessarily dates from this time.

51 Q.C.C. MS 31, cols. 27-30 (ch. 11); cols. 33-37 (ch. 15). Quaracchi, *De Exterioris*, pp. 14-15 (ch. 10); pp. 17-18 (ch. 13).

52 e.g. Q.C.C. MS 31 col. 75: "In all thynges flee wommen." U.L.C. MS Dd. 2.33 f. 21r.: "Fle mens company except where a grete cause requyryth the contrary And then be not with them aloon."

53 Q.C.C. MS 31, col. 30; U.L.C. MS Dd. 2.33, f. 11r.

54 v. *supra*, p. 266, nn. 36 & 37.

55 e.g. U.L.C. MS Dd. 2.33 f. 50r. agrees with Quaracchi, *De Exterioris*, p. 95 against Q.C.C. MS 31 p. 171 which omits "est autem triplex superbia."

56 e.g. U.L.C. MS Dd. 2.33 f. 110v. agrees with Q.C.C. MS 31 pp. 291-292 against Quaracchi, *De Exterioris*, p. 207 in the placing of "Qui ergo bonum ... de cogitationibus malis." v. *supra*, p. 266, n. 44.

agrees with the Queens' College text in conflating Book II part II chapter 47 of the Latin with a brief summary of chapter 46, but differs from it in the summary employed.⁵⁷ When it agrees with the Queens' College text in making additions to the Quaracchi text, it sometimes employs entirely different words to express them.⁵⁸ Chapter divisions and titles differ from those in the other two versions, and greater care is taken to explain carefully the way in which the treatise is arranged and the relationship between its parts.⁵⁹

The language in which the teaching is couched differs significantly from that in the Queens' College text, as the following passages show:

Quaracchi

Et quia non confidis tibi ipsi, ut praesumas, te scire, quid a te velit Deus; ideo commisisti te superiori tuo, ut ipse te regat, et dedisti ei manum tuam in professione, ut ipse te ducat in via Dei.⁶⁰

Q.C.C. MS 31

And for as much as thou trustest not thy selfe so moche that thou wolt presume that thou knowest what oure lorde wolde, therfore thou haste comytted and bounden thy selfe to a souerayn the whych shall gouerne the, and thou haste yeven hym thy hande in thy profession that he shall lede the the waye of god.⁶¹

U.L.C. MS Dd. 2.33

And bicause þou wult not trust thyne owne wytt & reson so moch as to presume to discerne & iudge what is to be done or what is the wyl of our lord, þou haist comytted thy selfe to thy soverayne & hed that she shuld order and governe the, & haist gevyne to her thy hand & promysse in thy professioun that she myght lede the the right wey to God.⁶²

Quaracchi

Ut ergo breviter percurram omnia, quae supra dixi: esto devotus Deo et cor tuum semper, quantum potes, occupato cum ipso. Esto praelatis humiliter obediens nec rancores contra eos teneas nec spernas eos nec iudices nec murmures de eis. Esto cum Fratribus pacificus, patiens ad verba dura et ad reprehensiones. Noli facile iudicare aliquem nec sis suspiciosus. Esto obsequiosus, maxime infirmis et in humilibus obsequiis. Saepissime ora. Esto in choro disciplinatus et Deo intentus, in victu discrete modestus et in his, quae corporis necessitas requirit. Esto in cella libenter. Fuge verba otiosa. Plane loquere, modeste iucundus, verax valde. Verba tua sint sicut iuramentum.⁶³

⁵⁷ U.L.C. MS Dd. 2.33 f. 172r-v. *v. supra*, p. 267, n. 43.

⁵⁸ e.g. U.L.C. MS Dd. 2.33 f.67r. also quotes Proverbs xvii: 14, but uses a different translation. *v. supra*, p. 267, n. 47.

⁵⁹ *v. supra*, p. 264, for example.

⁶⁰ p. 4.

⁶¹ col. 7.

⁶² f. 7r.

⁶³ p. 35.

Q.C.C. MS 31

That I may breyfly ouer renne theys thynges that I haue seyde afore. Be thowe deuoute to god, and ever temper thy herte to hym as moche as thou maiste. Be obedient mekely to thy prelates and kepe noo rancoure ayeins them, nor sett nott lytell by them, nor deme them nott, nor gruche nott ayeins them, nor be nott suspiciouse. Be seruisable moste to seke men in meke seruice. Pray ofte. Be disciplynate in the quere and intente. Be mesurable and discrete in etynge and drynkyng and in other thynges that bodily nede requireth. Be in thy Celle. Flee gladly ydell wordes. Speke playnly myldely and merily. Be verrey trwe. Lett thy wordes be as an othe.⁶⁴

U.L.C. MS Dd. 2.33

That I may brevely reherse the entent of thys firste part of the firste boke, this is the order. Be devout to god & euer order thyne hert to hym in that pou maist to the vttermoste of thy power. Be meke & obedient to thy prelattes & beere no malice ne grudge toward them, ne toward any other. Despyse them not nor theyre commaundmentes. Judge them not & murmur not ageynst them. Be not suspiciouse or mystrustyng that pou knowyst not. Judge nott lyghtly that is oncertayn. Lyve in vnitee & peas with thy susteres. Suffer paciently sharp wordes & also correcciouns. Be charitable & servysable moste of al to thy seke susteres & do them meke & lowly service. Pray offit & devoutly. Be wele ordryd in the quere & haue thyne intencioun & mynde alwey on god. Be also discret & mesurable in thy meetes & drynkes takyng & in al other thynges necessary to thy body as slepe & cloothis with such other, & be contentyd with sufficient & hate al superfluytes. Be glad to be solitary & loue to be aloon with god in secreitt. Beware of moch spech & ydel wordes. Speke playnly myldly cherefully & leysorly. Be true of hand & tung that thy susteres may both beleue the & trust the.⁶⁵

There are some points, like the opening words of the preface, where the two English versions are identical in language, and instances could be adduced of agreement in the use of unusual words; so that it could be argued that there is a relationship between the two Middle English versions. Nevertheless, the differences between them are so great that for the purpose of this study they can be considered to be different translations.

A shortened text of Book I occurs in B. M. Arundel MS 197 which in its earlier form agreed very closely with the Queens' College text. The manuscript is unreliable in that each tract in it bears evidence of such

⁶⁴ cols. 74-75.

⁶⁵ f. 21r.

alteration and correction that the text in its final form is unlike any other extant,⁶⁶ although the original text, so far as it can be established, appears to have been a good one. The material from Book I of the *Formula* is described as "an abstracte owte of a boke þat is callid formula nouiciorum."⁶⁷ Eight chapters from Book I part I have been omitted⁶⁸ and chapter 40 from part I has been combined with chapter 2 of part II to form chapter 31 of the *abstracte*. There is no distinction between parts I and II. The text reveals none of the additions in U.L.C. MS Dd. 2.33, and provides some evidence that it originally agreed very closely with that in Queens' College MS 31. For instance, where the latter reads,

Also a seke man thay yett suffreth the axcyse or the axcyse of vices.
oweth,⁶⁹

Arundel MS 197 has

Also a sekeman þat suffrith þe accyse [or þe accyse of visis] owith.⁷⁰

The agreement is not complete; for the Arundel text differs from Queens' College in some passages which have not been altered. Thus the end of Book I part I chapter 6 in the Queens' College text reads,

where hys conscience accuseth hym nott afore god, butt suffre patiently
what euer god woll that he suffre,⁷¹

but Arundel MS 197 has

where in his consiens accusith hym not afore god and euer take hit
patiently such aduersite as comeþe to þe by any chaunse for þe loue of þi
lorde god & þen þou shalte have grete mede.⁷²

It can be assumed, however, that the Arundel and Queens' College texts represent essentially the same translation.

There are extant two brief Middle English extracts from the *Formula*. First, the short series of injunctions which comprises Book I part I chap-

66 For instance, Arundel MS 197 contains a form of *Fervor amoris* (ff. 10r-38v) considerably amended and preceded by a compilation of minor tracts and meditations (f. 1r-10r), all but one of which can be identified. The texts of these shorter pieces differ considerably from those extant in other manuscripts. The whole section of the manuscript, ff. 1r-38v is entitled "Fervor Amoris".

67 f. 48r.

68 Book I part I chapters 3, 15, 31, 33, 35, 36, 38 and 39 have been omitted.

69 col. 8.

70 f. 48v. The square brackets indicate that this portion of the text has been erased.

71 cols. 17-18.

72 f. 49v.

ter 40 occurs in two manuscripts, University Library Cambridge MS Mm. 5.37 and Bodleian MS Ashmole 41.⁷³ Each text omits the opening words of the chapter. Although they are closely related to each other,⁷⁴ they differ frequently from the Middle English texts of the full treatise, as a comparison of the following with the texts quoted above illustrates:

Be deuout to god and tempere þyn herte wit him as mikul as þou may. Bowe mekely to þi prelatus and hold no rancour azeynes hem, ne displese hem, ne deme hem nouzt, ne gruche nouzt wit hem. Be in pes wit þy breþeryn. Be pacient in harde wordus and repreues, Ne deme no man lizthli ne haue nouzt lyzthly suspecion of euyl. Serue gladly, nameli to seke in meke seruise. Pray ofte. In quer rule þe wel. In god be þyn entente. Rule þe discretly in mete & drynke and in oþur necessities to þy body. Be gladly in þy celle. Fleo ydul wordus. Spek pleylnly Mesure & muryly. Be riȝth trewe. þy wordus be ase an othe.⁷⁵

The injunctions are a different translation from the Latin.

Second, the same Ashmole MS 41 also contains a short tract which is in fact a selection of material from Book II part I chapters 7 to 10 of the *Formula* stating the true nature of reason, will and "myende" (*memoria*), their deformation by sin, and the three stages by which each may be restored to the fullness of God's purpose for it.⁷⁶ A comparison between the Queens' College and Ashmole texts indicates two features of the latter:

Quaracchi

Initium reformationis voluntatis est ex bonae voluntatis assensu vitiis resistere et operibus virtutum fideliter instare propter Deum *Profectus* eius est omnes affectiones habere ordinatas et in virtutes formatas sine rebellione vel coactione, ut iam non libeat, nisi quod est secundum voluntatem Dei. — *Perfectio* voluntatis est unum cum Deo *spiritum esse* per amorem, ut iam non possit velle nisi Deum et eius suavitatis dulcedine inebriari.⁷⁷

Q.C.C. MS 31

The begynnyng of reformation of mannes wyllle ys throwgh the assente of good wyllle to wythstande vices and truely to laboure in werkes of ver-

73 *v. supra*, p. 268, n. 3.

74 The principal difference between them is that U.L.C. MS Mm. 5.37 contains two injunctions also in the long texts of the *Formula* which Ashmole MS 41 omits.

75 U.L.C. MS Mm. 5.37 f. 135r.

76 The conclusion of the Middle English treatise *þe clensing of manes sawle* (British Museum Harley MS. 4012, ff. 1r-68v; ff. 66v-68v) is also closely related to Book II part I chapters 7-10 of the *Formula*.

77 p. 90.

tue for god The profitynge and the encrecyng of mannes wylle ys to haue all the affeccions ordinate and all vertues fourmed wyth owte rebellion or constreynte, that noo thyng frome hensforwarde be lusty or plesante butt onely that that ys aftyr the wylle of god. The perfeccion of the wylle ys to be one spirite wyth god by love, that nowe he may wyll noo thyng but god and to be fylled and inebriate wyth the swetenes of goddes suauite.⁷⁸

Ashmole MS 41

þe begynnynge of reformacyoun of wyl ys to ageynstond syn & trewly be besy in goode werkys whyt asent of a good wyl. þe perfeccoun of wyl ys to haue affeccions ordinate & vertues formyd withowtyn constreynynge so þat yt wyl nowt but aftyr þe wyll of god þe perfeccoun of wyll ys also to be enspyrd wyth god thorw loue so þat yt may nowt wyl butt goddys wyl & be fulfylld of þe swetnes of hym.⁷⁹

In this example there are some verbal agreements between the two Middle English texts which become more notable in the first part of the Ashmole extract. In addition, there is the confusion between "profectus" and "perfectio" which is maintained in the treatment of reason and "myende" also.

This brief consideration of the extant Middle English translations of *De Exterioris et Interioris Hominis Compositione* is sufficient to indicate that there must have been other English texts. The treatise is one of the longest of its kind extant in Middle English, so that the existence of two full versions, of which the Queens' College text was certainly not the only one of that translation, is some indication of the importance which was attached to placing this teaching in the hands of those who could read English but not Latin. There were many other tracts written in Latin specifically for the guidance of Religious and translated into the vernacular, which enjoyed a wider popularity if one can judge from the number of texts extant; but few were so comprehensive as this.⁸⁰ It is not surprising that the only book transcribed separately was Book I, which often occurred separately in the Latin, or that the brief extracts are all concerned with the elementary matters and come from the early part of the treatise.

⁷⁸ pp. 164-165.

⁷⁹ f. 135r.

⁸⁰ Perhaps of the tracts intended for Religious, that most comparable in size and treatment is *the manere of good luyng* in Bodl. MS Laud misc. 517 ff. 1r-175r, a translation of the Latin treatise in Migne, PL, 184, 1199-1306. Long Middle English tracts like *Memoriale Credencium* and those related to the *Manuel des péchés* could not be described as intended particularly for Religious.

III

The preface in the Queens' College text differs from that in the Syon text in one very important respect. It concludes:

And for as moche as the langage of latyn ys vnknownen to many religiouse and namely to wommen, Therfore I have purposed by the grace of god our lorde to translate the seyd booke in to englysche to the edificacion of the symple people in religion and of all other that desireth to be seruantes of god And thought yt so be that thys booke aftyr hys name and aftyr the matiers that he entretyth of towche principally the religious persons neuer the later euery seculer man or womman that desyreth to be the seruand of god māy fynde here in sufficient instruccion and direccions to the performynge of hys seyd entente. Therfore latte all men in generall prayse the infinite wysdome of our lorde and hys greate charite that ordeyneth mete in tyme oportune to all them that lyfeth there eyn to hym ans asketh hys helpe. Amen.⁸¹

Thus a treatise peculiarly intended for the guidance of Religious had, by the fifteenth century in England, been acknowledged to be of value to devout lay men and women, and it was known that there were literate and devout lay people who would almost certainly read it. Their numbers were growing; and their spiritual needs were not being met by the elementary catechisms and instructions like *The Lay Folk's Catechism* which were intended for them.⁸²

⁸¹ cols. 3-4.

⁸² Simmons, T. P. & Nolloth, H. E. (edd.): *The Lay Folk's Catechism*, EETS, O.S. 118 (London, 1901). Considerable attention has been given to the existence of this group of readers. Its significance is pointed out by Knowles, among others:

In the fourteenth century a great change began. Treatises and prayer-books written in Latin and French were translated into English, and the vernacular was used increasingly for original work. The early translators at the turn of the century were followed by the English writings in prose and verse of Richard Rolle and others, and these in their turn by the magnificent flowering of Middle English in the works of Langland and Chaucer. England, indeed, did not stand alone in this linguistic change and in the appearance of a mature vernacular literature. France with the *chansons de geste* in the north and the poets of courtly love in the south, Germany with its cycles of lays and legends, and above all Italy, with the rapid rise of the native tongue to the heights of elaborate poetic achievement in Dante, had preceded her. But it was a distinctive note of the first great decades of Middle English literature that the writings were intensely personal and were directed for the most part either to unknown individuals or to the lower levels of the literate public. Here the closest parallel is with Rhineland Germany, where the earliest vernacular prose is the copious sermon literature and the biographical collections of the German mystics. While the historian cannot give reasons for the appearance of saints or mystics, he can at least say that the emergence of a large literate class outside the ranks of the clerks and religious orders made it possible for the first time for a master to instruct his

Another manuscript in which a writer similarly acknowledges that a treatise intended for Religious is of value to lay people is St. John's College Oxford MS 94, which appears to have been copied by the anchorite John Lacy of Newcastle.⁸³ He prefaces his text of one tract with these words:

Heer begynneth þe pistill of seint Ierom þe wiche he wrotte to a mayden dematriade þat had voued chastyte to oure lord ihesu criste. And 3e mowe vnderstonde & fynde in þis pistull confort & lurnynge to all oper woo þat wol take entente and heed to þe vnderstondinge þerof, be he religius or secular, wedded man or woman or songul, or in what þe gree he stondit in.⁸⁴

These two texts, which were not prepared for certain especially favoured individuals but recommended to all who seek to serve God in love, indicate the existence of devout lay people who needed wise guidance as they sought to deepen their obedience to God. Two other tracts, more obviously intended for general use, further illustrate this phenomenon. *Fervor amoris*⁸⁵ denies that deep contemplative prayer is possible for

men & women of the worlde both lordes & ladyes & other husbonde men women & wyues,⁸⁶

disciples, and for the mystic to describe his own experiences, in the simplicity, not yet formalized or conventionalized, of the vernacular language. Knowles, M. D.: *The English Mystical Tradition*, (London, 1961); pp. 46-47.

Similar comments could be cited from the works of other scholars. Salter indicates one development of this thought:

By the late fourteenth century, the provision of religious texts in the vernacular may not have been simply for readers who could not understand Latin; the added convenience, but not always the necessity, of studying or meditating in English is an important factor we should not overlook.

Salter, E.: "Ludolphus of Saxony and His English Translation," *M AE*, xxxiii (1964), 26-35; p. 29.

R. W. Chambers has discussed the significance of the books of common profit which are extant in Middle English:

But there were also citizens like Killum and Collop and Holland, poring over their books of devotion, and leaving them as legacies to each other, together with money to be distributed in alms, or spent upon the mending of bad roads. Chambers, R. W.: *On the Continuity of English Prose from Alfred to More and his School*, *EETS* (London, 1932), p. cix.

For information concerning vernacular books quoted as legacies in mediaeval wills, v. Deanesly, M.: "Vernacular Books in England in the Fourteenth and Fifteenth Centuries," *MLR*, 15 (1920), 349-358.

83 St. John's College Oxford MS 94, ff. 127r-140a.

cf. Pepler, C.: "John Lacy: A Dominican Contemplative," *Life of the Spirit*, 5 (1951), 397-400.

84 f. 127v, col. 1.

85 Printed as *Contemplations of the dread and love of God* in Horstman, C. (ed.): *Yorkshire Writers Richard Rolle of Hampole An English Father of the Church and His Followers*, (London, 1895, 1896), i & ii.

The book is cited as Horstman, *Yorkshire Writers*. *Fervor amoris* is printed in ii. 72-105.

86 Horstman, *Yorkshire Writers*, ii. 76.

or for many living the Religious Life; and yet calls all men to a stable and profound love for God:

Therefore to suche as be not knowynge I wyll shewe fyrste in what maner they sholde loue & drede god that they may be þe more stable in the loue of god. After that I shall shewe by the grace of god foure degrees of loue whiche euery crysten man relygyous & seculer sholde holde and kepe, & may performe for the more partye yf his wyll be feruently set to the loue of god.⁸⁷

If the writer of *Fervor amoris* would withhold contemplative prayer from seculars, and yet would urge them to the depth of surrender in the life of God's love, the writer of *The Abbey of the Holy Ghost* states his purpose at the beginning:

A dere brethir and systirs, I see þat many walde be in religyone bot þay may noghte, owthir for pouerte or for drede of thaire kyne or for band of maryage, and for-thi I make here a buke of þe religeon of þe herte, þat es, of þe abbaye of the holy ghost; that all tho þat ne may noghte be bodyly in religyone, þat þay may be gostely;⁸⁸

and he obviously expects that those who have this desire will be led to a deep life of prayer:

Contemplacione sall make thi dortoure, þat sall be raysede one heghte with heghe zernynge and with lufe-qwykkynyng to gode, and þat sall be owte ofe worldly noyse and of worldly angyrse and besynes als fere furthe als þou may for þe tyme thorow grace for þe tyme of prayere. Contemplacione es a deuote rysynge of herte with byrnyng lufe to gode to do wele, and in his delites loyes his saule, and somdele ressayues of that swetnes þat goddis chosene chidir sall hafe in heuene.⁸⁹

Reference should be made also to the strong argument put forward by Miss Russell-Smith that Book II of Walter Hilton's *The Scale of Perfection* was intended for such lay people as well as for Religious;⁹⁰ and to the passage in the Prologue of *The Cloud of Unknowing* which may be interpreted as having this application also:

bot gif it be to þoo men þe whiche, þouȝ al þei stonde in actyete bi outward forme of leuyng, neuerpeles zit bi inward stering after þe priue sperit of God, whos domes ben hid, þei ben ful graciously disposid, not contynowely as it is proper to verrey contemplayues, bot þan & þan to be par-

87 Horstman, *Yorkshire Writers*, ii. 76.

88 Horstman, *Yorkshire Writers*, i. 321-337; p. 321.

89 Horstman, *Yorkshire Writers*, i. 324-325.

90 Walsh, J. (ed.): *Pre-Reformation Spirituality* (London, n.d. 1965?); pp. 182-197.

ceners in þe hiezst pointe of þis contemplatiue acte. 3if soche men miȝt se it, þei schuld by þe grace of God be greetly counforted þer-by.⁹¹

Some writers appear to have believed that contemplation was possible for devout lay people in the world who were called to it: others seem to have rejected this possibility but seen that such men and women could grow through love into union of will with God. Even the meaning of "contemplation" seems to have varied considerably. Whereas nearly all writers began in practice with the conventional view of the period that only Religious or solitaires could attain to perfection or find sustenance in spiritual teaching of any depth, some were obviously being forced to acknowledge, perhaps from their own pastoral experience, the great hunger of many devout lay people for guidance in their relationship with God. Instances have been given of both original treatises and translations which were being offered to Religious and lay people alike, according to their need and regardless of their state in life: instances are more common of lay people taking and using tracts intended for Religious alone.

The *Formula* is a very technical treatise peculiarly applicable to Religious: even much of its deeper teaching in Books II and III is presented within the context of the Religious Life. It is therefore all the more noteworthy that at least one scribe should have judged the work to be very valuable also for "all other that desireth to be seruantes of god."

Cheltenham, Victoria, Australia.

⁹¹ Hodgson, P. (ed.): *The Cloud of Unknowing and The Book of Privy Counselling*, EETS 218 (London, 1944 and 1958), p. 3.

THE LAY PILGRIMS OF THE *CANTERBURY TALES*: A STUDY IN ETHOLOGY

George J. Engelhardt

THE universality of evil is a commonplace of the medieval contemptus mundi, where it subserves the dilatation of the principal commonplace iniquity. The contemptus mundi is a conceptualization of the human condition elaborated heuristically from three such principal commonplaces. These are: the iniquity or *anomia* of mankind, the misery of the human condition, and the doom of man. Each comprises a species of *malum*. Iniquity, as the *malum culpae*, the evil that men do, is distinguished from misery or the *malum poenae*, the ill that men suffer, and from doom, the *summum malum* or Hell. To each a form of vanity is appropriate. Iniquity is the vanity of perverse solicitude, *vanitas curiositatis sive cupiditatis*, while misery includes the vanity of mutability and shares with doom the vanity of mortality.¹ The ordered disorder of Hell, in accordance with the retributive *lex talionis*, is foreshadowed anagogically by the disorder that gives to iniquity or *anomia* its name — a disorder which, preferring the mutable goods to the immutable Good and self-will to the will of God, eventuates in the confusion of the reprobate sense. Through a second anagoge the temporary privation of God that is signified by the term misery prefigures the eternal privation of Hell.

This conceptualization of the human condition is accompanied by a conceptualization of history that divides the Christian era into four epochs. In the first epoch the Christian Church is persecuted from without by the violence of pagan authority; amid this oppression, nevertheless, the pristine Church maintains a simplicity of faith and practice sometimes depicted by an allegory accommodated from the pagan golden age. In the second epoch the Church is persecuted from within

¹ Hugh of St. Victor *Homiliae in Ecclesiasten* 1 (PL 175.115-33).

by the guile of the heresiarchs. In the third epoch, the present age for the Middle Ages, the Church seems to have attained universal acceptance, but the resultant *pax Christiana* is belied by the false Christians or temporizing hypocrites whom the Church can neither flee from, as from the tyrants of the first epoch, nor, heeding the parable of the tares (Matt. 13.29), put to flight, as it expelled the heresiarchs, without scandalizing the simple laity. Rather the Church awaits in medieval patience the fourth epoch of ultimate disorder, when the false Christians will emerge with Antichrist to subject the Church through unparalleled violence and guile to its last tribulation just before the second advent of Christ and the doom that will renovate the world. This ultimate age, moreover, is to be heralded by the aggravation of the ills and evils of the human condition. The more these evils and ills accumulate, the more reasonably men may fear that the dominical prediction for the final doom is at long last to be fulfilled: "Because iniquity has abounded, the charity of the many will grow cold" (Matt. 24.12).

A medieval author who is giving expression to that most heightened form of the *contemptus mundi* in which the final doom, the most critical event of the *summum malum*, is represented as impending, will in all likelihood intensify his treatment of the other two commonplaces. Besides amplifying the miseries of the human condition, he will insist not only upon the profusion of abounding iniquity or moral confusion but also upon its diffusion. Thus he may like Bernard of Cluny supply his readers with several ethic proofs of this universal iniquity.

To demonstrate the extension of evil as it is manifested in the widespread neglect of those duties and services incumbent upon each degree and condition of the hierarchic medieval order, Bernard has inserted in the second book of his *Contemptus mundi* the following catalogue:

The prelate is errant. He precedes. He bears both his own sin and the burden of his followers. For him the high throne is a heavy scourge. The sceptred king is errant. He roars, lifts up some, presses others down, and is a tyrant. And what I lament more, he is a lion to the mild, a lamb to thieves.

The priest is errant. The priest ought to show the useful way to good things. He shows a way that is not useful but wretched even to himself. The clerk is errant. He lectures, does not rule himself well. He meditates upon the lowest things and knows what things are to be done and does them not at all. He exchanges these for those.

The soldier is errant. He bears arms, rages, strikes, leaps up with spear, roves from camp to camp, strangles all things, and is a horned serpent. The noble is errant. He swells. He fears nothing, therefore is feared. He erects high and twisted horns, respects nothing.

The judge is errant. He sells his lips, loves gain, judges inequitably, stands by those who have, stands against those who have not — an unfriendly mouth.

The merchant is errant. He goes about the markets and the seas. He praises his wares and makes much of his goods and makes little of yours and thereby cheats.

The peasant is errant. He sows and gathers the crops, stuffs the granaries, hides the first-fruits, and steals the tithes, hence spares himself.²

This catalogue is repeated by epimone in a second catalogue of dereliction (2.259-360). Supplementary ethic proof of universal evil is provided by less elaborate catalogues derived from other principles of distribution such as sex, age, or region. A medieval author could construct such a catalogue upon any of the *loci rhetorici* included among the attributes of person: name, sex, nation, birthplace, family, age, qualities of mind or body, innate or acquired, mode of life, fortune, emotion, pursuit, policy, deeds, words, and incidents. With each of these circumstances the ancient or medieval tradition of ethology would associate a set of characteristics. Because such an association was founded upon custom (*ἔθος*), such a set came to be called an *ethos* (*ἦθος*), and the *praeexercitamen* through which schoolboys learned to fashion a character conforming to such an *ethos* became known as *ethopoeia*. A catalogue of such characters, then, may conveniently be termed an ethologue.

An *ethos* may be either prescriptive or descriptive. When the set of characteristics (*notae, sēmeia*) that compose this *ethos* is determined by some nomothetic principle like the Stoic *officium*, the Platonic form, the Peripatetic *telos*, or simply prescriptive custom, the *ethos* becomes ethical in the modern sense and the poem providing such an *ethos* or ethologue fulfills that end of poetry which is defined as moral benefit. An *ethos* may do nothing more, however, than present the characteristics that custom has not prescribed but rather stereotyped for the circumstances obtaining in the *ethos*. An *ethos* of this kind is purely psychological and aims at affording the reader or listener the pleasure of recognition. The *ēthē* of youth and age, for example, implicit in the following verse of *Beowulf* are prescriptive: "Thou art strong of might and wise in spirit" (1844). Physical strength is a requisite of youth, wisdom of old age, and the paradox of the *juvenis senex* is that he excels in both. The *ēthē* detailed for youth and age by Aristotle in the *Rhetoric* 2.12-13 tend rather toward the descriptive, although they do imply the

2 2.241-58. For the king see Gratian, C. 23 q. 5. c. 23.

Nicomachean ethic of the mean since the prime of life is envisioned as a mean between the extremes of youth and age.

Whether the ethos describes how men are accustomed to act or prescribes how men are obliged to act, the ethos is limitative. The set of characteristics that compose the ethos is determined intrinsically by some dynamic principle such as the Peripatetic *telos* or extrinsically by tradition. The ethos is equivalent to a "rhetorical definition." It constitutes a whole—an integral whole under which the characteristics composing the rhetorical definition are subsumed and a universal whole under which each poetic character or person that represents the ethos is subsumed. Hence the Aristotelian formula *katholou*. This universal whole is observed as long as inconsequent characteristics are excluded from the subsumed characters in accordance with the prescriptive canons of propriety or the descriptive canons of probability. This intergral whole is preserved as long as no anomaly or inconsistency is allowed to intrude when this ethos is transferred into the person of a play or poem.

No circumstance is more intimately associated with ethos than *habitus* or *hexis*. The habitus of a person is constituted by his habitual choice of virtue or vice, and this choice is determined by the end or *telos* to which he is by habit disposed. The vice to which a person becomes subject through evil habit becomes the *pathēma* of the person, a passive condition that foreshadows the Christian bondage to sin. The person that suffers from such a *pathēma* is ethically deformed, and it is appropriate that one term applied by the Greeks to such deformity is *aschēmon*, a cognate of the term for habitus, *hexis*. Another term, *diestrammenon*, because of its semantic kinship with *tropos* calls to mind that tropos was an alternative designation for ethos, as, for example, in the Christian *tropology*. This deformity (*aischos*) or ignobility (*phaulotēs*, *tapeinotēs*), as if in reminiscence of the Pythagorean opposition of good as a mode of the limited to evil as a mode of the unlimited or the Platonic dissipation of the idea in matter, tends to induce an expansion of the ethos which evokes the illusion of individuation or particularization, like the idiography of the *iambopoioi*, who delineate in individuals the deprivation of moral beauty through vicious habit or natural defect. A medieval instance of such expansion is afforded by the ethograph of the malign Morgan le Fay in *Sir Gawain and the Green Knight* (951-967). Conversely, when the ethology prescind the superlatively beautiful, the ethos may become so attenuated as to suggest the *aēthes*: thus Emelye in the *Knight's Tale*. Such examples, it goes without saying, are not in-

tended to imply that Chaucer or the Gawain poet knew the Greek tradition at first hand. The ancient tradition of ethology was, nevertheless, transmitted to the Middle Ages in the rhetoric and poetic of the schools and in scholastic ethics. It lived on even more vigorously in the tropological doctrine of pastoral theology and Scriptural exegesis.

The contemptus mundi is complemented in medieval ethic by an obverse appraisalment of the human condition, the *dignitas humanae naturae*. The contempt of the world envisions man as a victim of iniquity — if not already a reprobate member of the mystical body to which Satan is the supreme, and Antichrist the ultimate, head — an exile in temporal misery, a denizen of the mundane city, Babylon, whose name signifies the confusion, the disorder, the anomia of sin and prefigures analogically the ordered disorder of the eternal misery. The dignity of human nature reposes man in the mystical body of Christ, a citizen elect to fellowship with angels in the New Jerusalem, the vision of eternal peace. The contempt of the world lays bare the panorama of *malum*: the *mala culpae*, the evils that human license has elected in proud contravention of that justice which is the submission of the human will to the will of God; then the *mala poenae* and the *summum malum*, the bondage of ill and privation, temporal and eternal, visited by divine justice upon human iniquity. The dignity of man commemorates good or *bonum*. The mutable goods that man is to use now so that he may enjoy the immutable Good hereafter, the benefactions that man performs in the ordinate love of self and neighbor, the *summum bonum*, binding with the tranquil chain of perfect concord the orders of the blest in the renovated world where the immutable Good will be all in all — each of these is a good bestowed upon man by the gratuitous bounty (*bonitas*) of God, the supreme Good that must of its nature give. Toward these alternative views of the human condition the medieval ethic, unlike the ethic of later periods, maintained an attitude that was not disjunctive. The counterpoised motives that impelled medieval ethic to insist now upon divine justice, now upon divine mercy, to confront men with the perspective now of evil and ill, now of good, are suggested in the clause with which Innocent III concludes his prologue to the best known tract on the contempt of the world: “that the proud might be humbled by considering the contemptibility of the world and the humble might be exalted by considering the dignity of man.”

Each of these traditions has its own ethology. The contemptus mundi purports to describe character, yet each of the characters that it describes implies by its very dereliction a prescriptive ethos. Together these persons of the contemptus mundi comprise an ethologue of

iniquity for which a text is provided by the verse of Psalms — "All have gone astray together; they have become good for nothing. There is none who does good, not even one" — which Paul (Rom. 3.12) applied to the universal apostasy attending the first advent of Christ and which medieval tradition extended anagogically to the ultimate apostasy preceding His second advent. The ethology of the *dignitas humanae naturae* is prescriptive, and the ethologue it developes exemplifies the virtues and services proper to the various orders of human society. Since this ethology treats of perfect men, it would seem predisposed rather to personification or prosopopoeia than to ethopoeia. Thus the perfect man fashioned in the *Anticlaudianus* of Alan of Lille is a prosopopoeia of the perfect knight. Perfect in the sense of the Peripatetic *teleios*, he fulfills his proper end in the psychomachia; perfect in the sense of the Pauline *artios* (2 Tim. 3.17), he has been furnished by God, by Nature, and by the Virtues with all gifts that constitute the apparatus of chivalric perfection. Yet he is no more than a lifeless abstraction befitting the timeless and placeless milieu, the pseudo-Dionysian ambience, of the *Anticlaudianus*. On the contrary, Chaucer's "parfit knyght" is lifelike; he is ethopoeic.

The Prologue to the *Canterbury Tales* contains a mixed ethologue. It presents a series of characters ranked by degree who exhibit either a prescriptive or descriptive ethos. The Knight, Yeoman, Clerk, Parson, Plowman, and presumably the Nun's Priest are each faithful to the end, the *virtus status*, prescribed by medieval order (*nomos*) for their respective degrees: "Each estate that may be / Is ordained by its place / To perform some task in the world."³ The young Squire, though not yet perfect, is proficient in the literal sense of that term: he is making his way toward chivalric perfection. The rest are deficient and anomic. Whatever technical adeptness some of them display only brings into relief their dereliction of their social duties.

A mixed ethologue complies with the dual function of satire received by medieval authors from the Roman satirists: to censure vice, to commend virtue.⁴ More significantly, a mixed ethologue is appropriate to

3 Gower *Mirour de l'omne* 23617-19; *Vox clamantis* 3. Prol. 26.

4 Bernard of Cluny *De contemptu mundi* 2.129-32. Dryden — *Discourse concerning Satire*, in *The Poetical Works of Dryden*, ed. George R. Noyes (Boston, 1950), p. 303 — takes "notice that the word satire is of a more general signification in Latin, than in French or English. For amongst the Romans it was not only us'd for those discourses which decried vice, or expos'd folly, but for others also, where virtue was recommended. But in our modern languages we apply it only to invective poems...."

the mixed congregation of true and false Christians that distinguishes the third epoch in the medieval conceptualization of Christian history. The universal apostasy of the fourth and ultimate epoch would call rather for an ethologue exclusively evil. Because John Gower professes in the *Vox clamantis* 3.14.1250 to see very many signs of Antichrist, the ethologue upon which that poem is developed attests to the diffusion of animia — “error ubique diffunditur” — through all degrees — “singulis gradibus” — both clerical and lay — “tam in spiritualibus quam in temporalibus” — anagogically implied by the Scriptural title of that poem. In the mixed ethologue of the Canterbury Prologue and in the tales which develop that ethologue Chaucer manifests a vision that is less portentous despite the prevalence of anomia. What impelled Chaucer to distribute good and evil as he does among the members of his ethologue can only be surmised. If he was following the homiletic tradition preserved in the passage cited from Innocent III, he would accord the dignity of man to those social classes that he wished to suggest were overly diffident or dispirited, while attaching anomia to those ranks that he wished to consider unduly self-complacent, insolent, or arrogant. This distribution of good and bad required Chaucer to invert the ordinary sequence of the medieval ethologue, in which the clerical estate and spiritual authority precedes the military estate and secular authority. An imperfect Prioress, Monk, or Friar could not felicitously be placed before a perfect Knight. The inversion thus occasioned does not imply that Chaucer did not accept the established primacy of the spiritual estate or that he wished to impugn the estate itself. It is not the estate that he arraigns, but the personal error of those ministers of that estate who were not true to its prescribed ends.⁵

The ethologue of the pilgrims is preceded in the *General Prologue* by two minor ethologues. The major ethologue adverts primarily to that which in the heuristic nomenclature may be called the quality of the pilgrims. The initial ethologues are addressed ostensibly to two distinct circumstances, the occasion of the pilgrimage and its motivation. Yet while responding to the “when” and “why” of the pilgrimage, they anticipate the question of quality, the “whiche they weren” of the pilgrims.

⁵ Thus Gower *VC* 3. Prolog. 21-26; 3.9.592. In the ethologues of *Mirour* 18421 ff., *VC* 3.1.1 ff., and *De lucis scrutinio* he places the spiritual rulers before the secular. In the prologue to the *Confessio amantis* the temporal rulers are placed before the spiritual presumably because the work was conceived “for king Richardes sake.”

The first ethologue is constructed upon the ancient psychological division of vegetative, sensitive, and rational soul. It presents what appears to be an ascending series from vegetative through sensitive to rational creatures. Yet the ascent emerges rather as a retrogression, since the activity signalized in the rational creatures (locomotion) is proper rather to their sensitive faculty and the activity signalized in the sensitive creatures (generation) is proper rather to their vegetative faculty. This illusory ascent is followed by the second ethologue, which descends manifestly from the logically superior to the logically inferior, from genus through species to the individual pilgrim. Such an ambiguous pattern of rise and fall accords with the mixed motivation of the pilgrims. Some are motivated by the supernatural and regenerative power of the spirit. They are the *homines spirituales*, the *pneumatikoi*, the true Christians. Others are stirred merely by the generative force of vernal nature. They are the *homines animales*, the *psychikoi*, the false Christians.

An application of ethos distinct from the ethologue takes form at the end of the *General Prologue*. Subjective rather than objective, it applies to the author rather than to the creatures about whom he writes. In ancient rhetorical theory it is called the ethos of the speaker. Its customary site is the prologue. Its function is paramythic: to secure the good will of the audience and avert its disfavor. Chaucer had anticipated this function early in the Prologue when, having completed the two minor ethologues, he alludes to the "ful devout corage" that motivates his pilgrimage. After the main ethologue he resumes the paramythia in Chaucerian earnest. First he apologizes for his plain speech. Next he apologizes for the ranking of the pilgrims in the main ethologue. Plain speaking was a timeworn mask for detraction, and Chaucer would eventually use the persons of the Sergeant and the Manciple to dissociate himself from such a vice.⁶ At the moment he chooses to apply the term only to the lesser charge of broad language. Suspending the normative propriety of the gentleman in deference to the relative propriety of the poet, he counters the charge by appeal to ethnic authority and Biblical precedent.⁷ This juxtaposition of Christ and a hackneyed Platonic tag might seem almost irreverent, yet through it Chaucer is able to insinuate that the ribald words with which he is compelled by the principle of decorum to relate some of his tales correspond to a vicious world that he no more than Christ has made,

⁶ Theophrastus *Characters* 28.6.

⁷ Aristotle *Nicomachean Ethics* 4.8; *Rhetoric* 3.7.

the reality of which any of his critics may undertake to reform. Thus Chaucer paramythically disclaims that he is the author or creator of the *Canterbury Tales*. He professes to be nothing more than the amanuensis or instrument by whom the tales are recorded, somewhat as in *Troilus and Criseyde* (1.15;2.13;3.41) he professes to be no more than a servant and clerk of the servants of Love, who does not write from his own sentiment. Such a profession Alan of Lille had heightened with "resemblances" upon the occasion not of consorting with the vulgar but of ascending from the firmament to Heaven:

Relinquishing small things,
Now I string the greater lyre, and laying down the poet
Wholly, I take to myself new words of the prophet.

.....
Of this poem I shall be the reed, not scribe or author,
The bronze resounding, the writer's silent leaf, the singer's
Pipe, the sculptor's chisel, or the speaker's horn,
The thorn bearing the rose, the stalk yielding new honeys,
Night gleaming from elsewhere, the clay vessel distilling nectar.⁸

Chaucer is not eager to be thought an "auctour newe / Of tidynge, wheither they been false or trewe."⁹ He will not contravene the canonical precept that limits public denunciation to public sinners. Whenever he gives any character a local habitation and a name, he is drawing only upon that which is notorious. Like Gower in the *Vox clamantis* 3. Prol. 27-28, he does not "wish that any / Should derive this work from my newness." Yet unlike Gower, he will not assume the mask of amanuensis to the voice of the people.¹⁰ Chaucer never forgets what Gower could remember on occasion, that the voice of the people, which can be the voice of God, can also be demonic.¹¹ Chaucer is scribe only to his pilgrims.

From this self-effacement, which is complemented by a dramatization of the pilgrimage that makes the tales seem to rise of themselves from the incidents of the journey, it was for Chaucer a small step to the self-depreciation of the *eirōn* or ironist that he would sustain during the

8 *Anticlaudianus* 5.267-69, 273-77. Lydgate *A Complaynt of a Lovers Lyfe* 194.

9 9.359-60; Bernard of Cluny *CM* 2.267.

10 Gower *VC* 2. Headnote; 3. Prol. 11-13. Cf. Bernard of Cluny *CM* 2.430.

11 Hence the apostrophe to the "story peple ... Delitynge evere in rumbul that is newe," inserted in the *Clerk's Tale* 4.995-1001; cf. Ps. Cato *Distichs* 1.12: "Rumores fuge, ne incipias novus auctor haberi." Hence in the *Knight's Tale* the ironically restricted translation, "The voys of peple touchede the hevene" (1.2561), of *Teseida* 7.14: "The noise (romore) of the nobles and of the people / Touched the stars." Hence the mock-epic "noyse" of Jakke Straw 7.3393-96.

pilgrimage itself. Meanwhile he would ward off umbrage by shifting the onus of leadership upon the all too willing shoulders of the Host and by ascribing to sortition the precedence of the Knight among the storytellers. Since canon law forbade the serious use of lots, the resort to them here implies the formula that would be repeated expressly in the course of the pilgrimage: "Men shal nat maken ernest of game."

The ethos of the speaker (*ēthos tou legontos*) in its pristine form posits for the speaker a seemingly reputation (*doxa epieikēs tou legontos*) that is likely to ensure the good will of the auditors since it conforms to those qualities which they hold in esteem.¹² Such an ethos Chaucer exhibits early in the Prologue when he professes to have entered on the pilgrimage with the proper motivation of a "ful devout corage." Yet when he proposes — not as *authekastos* or as plain speaker, but as faithful recorder of actuality — to relate base things in base words, he imperils his reputation as gentleman of seemly taste (*epieikēs kai eleutherios*);¹³ and he appears even to relinquish the ethos of cultivated poet when, like the *eirōn* who disclaims those qualities that make for repute, he suffers the Man of Law (2.47-48) to acknowledge the boorish ignorance imputed to him by those critics who are disparaging his conversance with the arts of metrical or rhythmic poetry.¹⁴

This ironic self-depreciation culminates in the antic (7.709) tale of Sir Thopas and its links. Here Chaucer parodies the criticisms made of him both as poet and as person. He presents the kind of poem that he would write and the kind of hero in whom he would project himself if he were really such a poet and person as his detractors make him out. In this self-caricature the centuries-old commonplaces of detraction are accommodated to Chaucer's own circumstances: the lowly origins of a vintner's son aspiring to gentility yet nurturing still the instincts of an alemonger (hence, for example, the recurring allusions to spiced ale 7.760-65, 851-56, 872); the foreign, namely, Flemish, connections; the manhood deficient in martial prowess, betrayed by the inept horsemanship or "Prikyng" of Thopas and by his turning tail before the giant, which savors somewhat of the classical *rhipsaspi*; a comeliness

12 For the ἦθος τοῦ λέγοντος, see Wilhelm Süss, *Ethos: Studien zur älteren griechischen Rhetorik* (Leipzig, 1910), pp. 56-58, 116-20, 243-45.

13 *Rhetorica ad Alexandrum* 35.1441b; Süss, *Ethos*, p. 120; Aristotle *EN* 4.8.5. For the αὐθέκαστος, see René Antoine Gauthier, O.P. and Jean Yves Jolif, O.P., *L'Éthique à Nicomaque: introduction, traduction et commentaire* (Louvain, 1959), II, 307-09; for the παρρησιαστής "plain speaker," see Gauthier and Jolif, II, 292-93.

14 Aristotle *EN* 4.7.14; Theophrastus *Char.* 1.1-2. Cf. *Sir Thopas* 7.925-35, where "geeste" refers by contradistinction to alliterative verse, ranked by Chaucer below metrical and rhythmic verse.

more befitting a burgher's plump wife (the "sydes smale" 7.836 is antiphrastic); a misanthropy, even a misogyny, attenuated now to an "elvyssh" aloofness (7.703-04) and to a prepossession with elfin paramours (7.784-96) that made Lanval suspected of homosexuality.¹⁵

The tale of the "doghty swayn" is complemented by the *Tale of Melibee*. Here Chaucer adopts an alternative mode of irony in which the *eirōn* functions as enigmatist—a mode to which he may well have been predisposed by a temperament inclined to keep its counsel, to express itself obliquely and indeterminately rather than commit itself openly and decisively on the issues of the day. Thus, like the *eirōn* that ascribes to the mouths of others the sage remarks that he himself parades,¹⁶ Chaucer sometimes uses a pilgrim or a tale as a paramythic medium. The Manciple's blandishment of the Cook and his moralizing in the tale of the crow serve inferentially by the contradistinctive examples they afford to dissociate Chaucer as a benevolent satirist and charitable censor from imputations of scandalmongering. The Sergeant is employed to speak for Chaucer in a plausible defense against the charge of misogyny—a defense in which Chaucer dissembles his contempt for both his advocate and the female complainants. The counsels of Dame Prudence serve in their turn to adumbrate the process by which Chaucer would effect a reconciliation with his detractors. Gladly teaching (7.1071) like the Clerk and Parson, truly humble and "debonaire", discreet and seasonable, unlike Pertelote, the Prioress, the Second Nun, the Alisons, or the female adversaries of Chaucer, Dame Prudence stands not for the irrational and inordinate will to which the name of woman has been metaphorically transferred, nor simply for the rational will to which manhood (*virtus*) has tendered its name, but for the reason and logos of Chaucer himself, from which Melibee or the genius of the poet has brought forth the child Sophie, his poetry, that together with his reason the foes, his detractors, have grievously impugned.¹⁷ More particularly, the privy meeting at which Dame Prudence converts the foes to repentance and amendment is to be identified with the actual tale itself, which the poet thus proffers to his adversaries as the occasion for making peace. They are not to excuse their sin audaciously but meekly to confess the outrageous wrong they have without cause inflicted upon Melibee-Chaucer, to repent gladly, to sub-

15 Süss, *Ethos*, pp. 245 ff.

16 Gauthier and Jolif, II, 314.

17 10.331-32. See Gauthier and Jolif II, 301, on *πραότης*; *praotēs* is a quality of the Theophrastean *eirōn* 1.3.

mit humbly, to beg indulgence; and Melibee-Chaucer, "debonaire and meeke, large, curteys" (7.1760), knowing (as well as Gower) "that oon of the gretteste and moost sovereyn thyng that is in this world is unytee and pees" (7.1678), is to forgive. Such is the program for rapprochement that Chaucer parades in the counsels of Dame Prudence. He has indeed added something to the moral tale, but nothing as simple as proverbs (7.954-58).

Having thus forgiven those who trespassed against him, Chaucer asks forgiveness for the trespasses of his poetry in the paramythic supplication that concludes the *Canterbury Tales*. Retractions had long been a staple of ironists no less than of saints,¹⁸ but the retraction that completes the *Parson's Tale* is no ruse. It is, however, not without ambiguity. Among the poetic vanities that Chaucer recants occur those Canterbury tales that "sownen into synne." Yet this ambiguous phrase does not necessarily mean that Chaucer ever intended these tales to be the occasion of sin.¹⁹ Nonetheless, he is now ready to concede that they may have given scandal. He will not presume, as he thinks of judgment, to assert that his intentions were always quite free from an ambiguous impulse of common human frailty or that the churl's tales were like the "bookes of legendes of seintes and omelies and moralites and devocioun" all written for our doctrine. Still it would be ungenerous of us to assume that Chaucer's mirth precluded doctrine. Chaucer's fault, if fault must be found, was that, like the magnanimous *eirōn*, he did not unfold to the *parvuli* the doctrine implicit in these ostensibly amoral tales that he pretends simply to rehearse.²⁰ Yet this moral failing is perhaps a poetic virtue.

The characterization of the Knight presupposes the ternary formula of division to which Chaucer alludes in the epiphonema: "He was a verray, parfit gentil knyght." First, the Knight is true as opposed to false. He is therefore endued with honor since obversely "the ethos of the false man is without honor."²¹ This honor, moreover, is antipodal to vainglory because "wisdom is with the humble" (Prov. 11.2) and the Knight, like the Greek *sōphrōn*, is "wys."²² Secondly, the Knight is "gen-

18 Theophrastus *Char.* 1.7.

19 Inversely, the observances of the tercelet "That sownen into gentillesse of love" (5.517) signify in reality the base hypocrisy of his love.

20 For the magnanimous *eirōn*, see Thomas Aquinas *Summa theologiae* 2.2.129.3.

21 Thus Ecclus. 20.28, which reads in Greek: ἡθὸς ἀνθρώπων ψευδοῦς ἀτιμία.

22 10.477; Bernard of Clairvaux *Sermones super Cantica canticorum* 34-38. For the *σώφρων*, see Gauthier and Jolif, II, 237.

tle" as opposed to "vilein"; "nobilis carne et moribus", the Knight merits the appellation by virtue of birth and of the ethos sustained in a life devoted to freedom and courtesy. "Trouthe" and "freedom" are Anglo-Saxon terms which, like their French counterparts "honour" and "curteisie" (1.46), designate respectively that virtue annexed to justice, *veritas*, which conserves moral beauty (*honestas morum*) and that virtue annexed to justice, *benignitas*, which enhances moral beauty. These virtues of moral justice complement in the ethos of the Knight that virtue of legal justice which the Knight has manifested in a career dedicated to just war. Such an ethos qualifies the Knight to criticize the *Teseida*, in which judicial combat is a travesty of just war.²³ The benignity of the Knight who "nevere yet no vileynye ne sayde / In al his lyf unto no maner wight" will be reflected by the good-humored way in which he will make game of the Italian heroic romance.

Since the Knight "does not offend in word, he is a perfect man, able also to lead round by a bridle the whole body" (Jas. 3.2). The term perfect, from the Latin *perfectus*, corresponds in Scriptural language to the Hebrew *tām* or *tāmīn* "complete", "ended" (coupled with . . . *met* "truth", "firmness" in Joshua 24.14) and to the Greek *τέλειος* "having reached its end." Two formulae of division are implicit in the designation "perfect". One is a privative formula: *deficiens* — *perfectus*. The other is the sequential formula: *incipiens*, *proficiens*, *perfectus* "commencing, advancing, completed", which is especially appropriate to the image of life as a pilgrimage and of a man's ethos as his way (cf. Hebrew *derek*).²⁴ It was in response to the latter formula that Chaucer put upon record the extended services of the Knight.

Both formulae are likewise implicit in the Latin *simplex*, which the Vulgate also uses to render the Hebrew *tām*. Thus Proverbs 11.5: "Justitia simplicis dirigit viam ejus", where the notions of "just", "simple", "(up)right", and "way" (*derek*) are linked together. The term perfect, furthermore, may translate the Hebrew *šālēm* "whole", "sound", "peaceful", as in 2 Chronicles 19.9 where the phrase "with a perfect heart" is coupled to the phrase "with truth" (*be 'emūnā*), which the Vulgate renders "fideliter". *Tām*, translated "innocentiam", and the nominal form *šālôm* "wholeness", "health", "peace" are associated in the Vulgate Psalm 36.37 and in the Masoretic 37.37: "Keep the perfect (*tām*) and see the right because there is a future for a man of peace (*homini pacifico*)."

²³ William of Tyre *A History of Deeds Done beyond the Sea* 15.6; Thomas Aquinas *ST* 2.2.80; Gratian, D. 40 c. 3-4, 9; C. 2 q. 5. c. 22; C. 23 q. 1-3; X, 5.13.

²⁴ E.g., Jas. 1.4; Deut. 18.13; Thomas Aquinas *ST* 2.2.183.4.

The end or telos which the Knight has fulfilled is the nomothetic ethos defined by the phrase *miles Christi* "soldier of Christ." That ethos had received its classical statement some two and one half centuries before Chaucer in a book addressed by Bernard of Clairvaux to the first master of the now suppressed Knights Templars. There Bernard had described in his inculcative fashion the new kind of warrior who fought not like worldly soldiers to gratify irrational wrath or vaingloriousness or cupidity but to protect Christendom from the oppression of pagans who were otherwise intractable. This pristine ethos of the monastic warrior, "foul with dust, black from armor and heat," who went forth to battle "making peace", survives in the character of the Knight although the passage of centuries has induced accommodation. No longer a warrior-monk, the Knight still wages the dual warfare of the *miles Christi* — against the corporal enemies from without, the pagans and schismatics on the eastern and southern borders of Christendom, and against the spiritual enemies from within, the sins and the demons — "*vitiis sive daemoniis*." He has a son, the Squire, yet there is no mention of his wife. As a widower, perhaps, he may be presumed to belong to the second of the three moral states of medieval society: the virginal, the continent, and the conjugal. He has not taken a perpetual vow of obedience and poverty, yet he manifests the humility of which obedience and voluntary poverty are but outward signs. His horse good but not gay, his fustian gypon "Al bismotered with his habergeon" bespeak the kind of warfare to which he is committed. Since he has no sooner returned thus begrimed from war than he sets forth upon his pilgrimage, his motive for that pilgrimage would seem to be spiritual — to fulfill a vow made during battle, perhaps, or to give thanks for his safe return. His humility is further manifested by the unpretentiousness of his retinue. He is attended by his son, the Squire, a yeoman, "and servantz namo."

The "young Squier" unlike his father is an incomplete knight, yet this incompleteness is not to be reproved. The young Squire is not deficient but proficient. He is making his way — *proficiens* — toward the perfection that his father has achieved. To the youth the East is still an exotic setting for a romantic tale, to the mature soldier it is a familiar battleground. The Knight in his perfection has progressed to the defense of Christendom beyond the wars of state that still engage his son. Whether the temporal lord under whom each may have served in any such war of state was prompted by motives other than the obligation of his office "To cleime and axe his rightful heritage / In alle places wher it is withholde," whether some of the epigonic crusaders had sought

battle in strange lands for reasons other than their primal duty to protect the Church against the violence of miscreants, whether the propagation of the faith by the sword usurps a function that belongs instead to the Christian preacher — these are questions that the reticent Chaucer (unlike the plain-speaking Gower) does not obtrude upon his delineation of the Knight and Squire. Their motives are beyond question. Neither fights “For vein honour or for the worldes good” or the foolish love of *foldelit*. The sovereign reputation accruing to the Knight has not been the end for which he fought, and the ardent affections that impel the youthful Squire to desire his lady’s grace are natural in a vigorous youth of twenty. Nowhere does the verse of Chaucer suggest that father or son has committed himself to a “false war.” To the father that fights obediently to uphold the Christian faith and “for to do the folk paien obeie,” Chaucer is not inclined to pose the question that Gower ventured upon:

Bot hierof have I gret mervaille,
 Hou thei wol bidde me travaile:
 A Sarazin if I sle schal,
 I sle the Soule forth withal,
 And that was nevere Cristes lore.
 Bot nou ho ther, I seie nomore.

And only a self-avowed “grisel” could ask of the younger:

What scholde I thanne go so ferr
 In strange londes many a mile
 To ryde, and lese at hom therwhile
 Mi love?²⁵

Again, the young love that sweetened the feudal duties of the Squire was not the variable passion that provoked the rhetoric of Gower (*Vox clamantis* 5.2) or the remissive irony of the Knight (1.2110-16) — a passion that suggests rather the “newefangel” love deplored in the *Squire’s Tale*. Nor are the enchanted engines of his romance to be reprehended, for, unlike the “jogelrye” of the *Franklin’s Tale* or the alchemy of the *Canon’s Yeoman’s*, this magic serves not base lust or sordid gain but innocent love and youthful fantasies of damsels rescued in distress.

The Yeoman is the perfect servant. His cropped head does not indicate servility. Unlike the false servants, Miller, Reeve, or Manciple,

²⁵ Gower *In Praise of Peace* 59-60, 99, 209; *Mirour* 9193-95, 23857-24072, 24122; *CA* 4.1677-82, 4.1706-09, 8.2047.

who "sweat but for promotion", he does not smack of thrall or villein. Like old Adam in *As You Like It*, he exemplifies "The constant service of the antique world, / When service sweat for duty, not for meed." With his quiver of arrows yeomanly dressed, he recalls the glory of Crecy and Poitiers now receding with the decades as England's glory wanes. With his dagger (*seax*) he hearkens back across the centuries to the Saxon *wilgesið* following with love his *winedryhten* — the friend-and-lord now bearing the cross of Christ, the comrade wearing on his breast the image of the saint who bore Christ and who is the patron of foresters. Worthy of a tale more edifying than the fables of a skulking Robin Hood preferred to pious narratives by the slothful,²⁶ this woodsman by his very "wodecraft" brings back to memory the solid skills of ancient folk-heroes who trod the forests of Britain before the Normans cut them down. Nowhere else in the *Canterbury Tales* does Chaucer express such nostalgia for the past. The Clerk turns to account the deterioration of the City of Man in an ironic paradox: "This world is nat so strong, it is no nay, / As it hath been in olde tymes yooore," since "archewyves" now are "strong as is a great camaille" (4.1139-40, 1195-96). The Wife of Bath remarks drily upon the progress of the City of God manifested in the displacement of elfin incubi by "lymytours". The Franklin's acknowledgment that such "folye" as natural magic "in oure dayes is nat worth a flye, / For hooly chirches feith in oure bileve / Ne suffreth noon illusioun us to greve" (5.1132-34) is an act of sanctimony ludicrous in this throwback to epicurism. For the addiction to Arthurian fantasy parodied in the Franklin's ethos Chaucer has slight regard, and the use of a Celtic background as the setting for a tale is always prejudicial. Chaucer does not even utilize the classical myth of the golden age in the Canterbury sequence although medieval tradition, whether elaborating the dignity of man or the contemptus mundi, sanctioned the use of it as an allegory for the advent of Christ and the accession of grace revealed in His primitive Church — a golden age which, as the fullness of time wears on toward the second advent, continues to survive in each person of the elect despite the ever worsening deterioration of the reprobate.

The perspective of the *Knight's Tale* belongs to the narrator. He functions not as scribe merely transmitting to readers the loves of Palamon and Arcita, but as *auctor* imposing his authority upon his narration. Narrating the original *Teseida*, Boccaccio had worn a double mask. As a servant of love who professed to adumbrate "under the name of one of

26. *Piers Plowman* B 5.402-03; Gower VC 7.4.228; Bernard of Cluny CM 3.120.

the two lovers" his own most infelicitous passion, he adheres in the poem itself to the perspective of the characters, thus serving as scribe and indirectly as actor. As a moralist reflecting the contempt of the world to which Arcita would attain only when translated to the concavity of the eighth heaven, he shifts in the tropological glosses of "Book Seven" (30.1; 50.1) to a divergent perspective that ascribes the passions of Palemone and Arcita to the intemperance of their concupiscible and irascible appetites and establishes their appeal to arms as an instance of unjust war. Chaucer could aptly assign his version of the heroic romance to the Knight because the perspective there imposed accords with the ethos of the Knight, yet the *Knight's Tale* is more than ethopoeic. It becomes paramythic as well, since the Knight, enlarging the authorial function of the narrator, emerges as a critic of the work being adapted and hence as a type of the arbiter to whom Chaucer would prefer to submit the judgment of his own poems.

The dual forces precipitating the catastrophe of the *Teseida* are never so clearly expressed as in the testamentary verses of the expiring hero. There Arcita declares to Teseo:

I see, of my own accord, that each one had the fate
That was thus resolved upon within himself.
And that for my service they wish that I should remain
Content that for recompense I have been
Honored with the vouchsafed victory (10.27. 3-7)

The indefinite "they" is specified as Juno, the primordial adversary of the Cadmean line, in verses presently addressed to Palemone. It is this goddess of conjugal love — so Arcita asseverates with bitter emphasis — that has chosen to conjoin him — "congiugnermi" — rather to his deceased ancestors than to his espoused Emilia (10.39-40).

Chaucer has adapted to his narration the dynamics of the *Teseida*. Of these two motive forces, the epic marvellous has been transformed from the mythological to the astrological. The domiciles of Mars and Venus have been moved from Thrace and "Monte Citerone" to the planets, the influence of which would seem in medieval science to account more plausibly for the natural predisposition of the two antagonists toward irascibility and concupiscence. The Olympian Juno, for whom no planetary abode was forthcoming, persists unobtrusively in the *Knight's Tale*. Yet the ancient motif of her rancor may have seemed no less nugatory to the medieval English poet than to the soldier of Christ, his

narrator. It was also less meaningful in his foreshortened version than in the *ab ovo* taxis of the *Teseida*, where Boccaccio spells out as "premissioni" to the story proper the bizarre war with the Amazons in his first book and the war with Thebes in his second, thinking it best to put down beforehand "where Emilia was from and how she came to Athens and likewise who Palemone and Arcita were and how they came there."

The eclecticism of Boccaccio had, furthermore, rendered his presentation of the second motif ambiguous. It syncretizes two conceptions of Fortune — the Dantean minister-general, a primal creature to whose judgment that lies beyond the understanding of men God has committed the transitory goods, "li ben vani," of this world, and the Juvenalian goddess that man, despite the wisdom of the Stoics, has made and placed in the sky. The auctor of the *Knight's Tale*, imposing his authority upon the pagan materials of the *Teseida*, chose, like Boccaccio in his glosses, not to entertain the apathy of the Stoics. But, as Stoic allegory led Juvenal (10.361) to see in Hercules an exemplar of Stoic fortitude rather than a victim of a vindictive Hera, so the morality projected by this auctor led him to fashion one more god for the epic machinery of the *Knight's Tale*. The obligatory figure of Fortune, meanwhile, was relegated to the improvisation of improbable coincidences. The goddess that is wont to preside over the permutations of worldly goods was reduced to a commonplace "aventure or cas" facilitating the transitions from episode to episode. Like the mountain laboring to bring forth a mouse, it is "The destinee, ministre general, / That executeth in the world over al / The purveiaunce that God hath seyn biforn" (1.1663-65) which brings the eager "grete hertes bane," Theseus, face to face with Palamon and Arcita smiting each other like "wood leons," "cruel tiges," and "wilde bores" — beasts to which the paladins are aptly reduced since in them the irascible and concupiscible appetites, the irrational powers of the soul, have so overwhelmed the reason that Palamon envies the essential inculpability of the irrational beast.²⁷ The idea of Fortune, then, may continue to adorn the complication of the *Knight's Tale*, but the denouement is reserved for the newcomer, Saturn.

²⁷ This anticlimax of cause and effect does not occur in the *Teseida* since the apostrophe to "the high minister of the world, Fortune," is inserted there at the beginning of Book Six after the pardon of the two heroes and the restoration of their wealth. Thus the *Knight's Tale* 1.1663-69 corresponds to *Teseida* 5.77.1-2 and 6.1-5. For irrationality and inculpability, see the *Knight's Tale* 1.1313-21, 1670-72; Bernard of Clairvaux *Serm. super Cant.* 35.8; Gower *Mirour* 1585-96; Gauthier and Jolif, II, 211.

In the person of Saturn Chaucer has apotheosized the retributive principle that inheres in the inordinate passions of man. When, among the virtual parts of the soul, the rational accedes to the concupiscible or the irascible, when desire and anger thwart the reason, when the judgment is deflected by pleasure or pain, as in the Aristotelian ethic, toward the error of hamartia (*Nicomachean Ethics* 2.9.6), these lapses set in motion a retributive sequence that is both ironic and anagogic — ironic because there supervenes an illusion of disembling gods, anagogic because the transgression foreshadows the punishment entailed. The gods to whom the pagans pray in the *Knight's Tale* are compliant to man's wishes, "di faciles" — in the emphatic paronomasia of Juvenal's tenth satire — if only because men have made them: "nos te, / Nos facimus, Fortuna, deam caeloque locamus." They appear to dissemble with men when men in the vanity of passion impetrate that which is going to harm them. Yet it is not the gods that deceive such men, they deceive themselves. The error, the hamartia, is their own.

This retributive process, furthermore, is viewed in the Christian perspective as anagogic or antitypic. Both the penal ills, the *mala poenae*, with which iniquity, the *mala culpa*, may be purged in this world and the doom, the *summum malum*, by which it is punished throughout eternity are assimilated to the sins they requite. Thus the iniquity of man prefigures the temporal misery of the human condition now and the eternal misery hereafter. Punishment fulfills sin. Because this iniquity is a mode of disorder and confusion — as *anomia* signifies, a term that corresponds in the Greek Scriptures, along with *adikia*, to the Latin *iniquitas* — such disorder and confusion must be complemented in this punitive anagoge by analogous modes of purgative or penal confusion. The inordinate man, confusing wrong with right as he defects to *anomia*, displaces and deforms both love and wrath. The unjust man, forsaking through *adikia* the justice that Anselm defined as the submission of the human will to the will of God, infringing on the peace that Augustine identified with the tranquility of order, provoking what he himself construes to be the wrath of God, imputes to that incommutable Being a passion that is merely the projection of his own guilt. In this homeopathic ethic peace will be renewed, order will be stabilized only as disorder expels disorder and confusion redresses confusion. Therefore Saturn is made the peacemaker of the *Knight's Tale*.

"The pale Saturnus the colde" of this tale is far removed from the benign ruler of the mythological golden age "Under whom every evil lay dead" (*Paradiso* 21.27) and upon whose deposition Justice fled this world. At first glance he may not seem to resemble the cold planet of

the seventh heaven that disposes toward stability those subject to its influence and that came thus to symbolize the state of monastic contemplation in the *Paradiso*. Yet this planet was in the sign of Leo and its cold was mixed with the heat of the Lion when Dante rose to the seventh splendor and saw reflected in the mirror of that sphere the blessed souls of contemplative men descending and ascending Jacob's ladder—an established trope for the mixed life in which the active men that judge their subjects must constantly invigorate with contemplation their sense of justice. It was then that Dante heard the voice of Peter Damian, the monk that became cardinal, judge the modern pastors for their abounding iniquity and quailed at the cry that portended their punishment ("vendetta"). It is also while dwelling in the sign of the Lion that Chaucer's Saturn does "vengeance and pleyn correccioun."

The malign figure of the *Knight's Tale* that makes peace "agayn his kynde" is most obviously akin to the antilogical Saturn of the *Anticlaudianus*, who reigns in his sphere amidst a confusion that Alan of Lille describes in oxymoric members:

There winter burns, summer chills, and heat
Freezes, splendor is dull, while the flame is tepid.
Here shadows lighten, here light shadows, and there
Night gleams with light and light turns day with night.

.....
There Saturn cools hot, burns freezing, inundates
Dry, shines dark, and ages young

with a train of abstractions

Here anguish and groaning, tears, discord, terror,
Melancholy, pallor, lamentation, injustice reign. (4.468-71, 476-77, 482-83).

Each of these personifications, and most conspicuously the last, represents the outrage that man's anomia inflicts upon man in this world. The antilogical members more obliquely convey the ordered disorder that requites the disorder of anomia and the confusion of Babylon now in the acceptable time and ultimately in Hell, "where", as the Latin Scriptures declare, "there is no order" (Job 10.22), and where, as Gregory taught, the reprobate sense that sin confuses shall be confounded by a confusion of mind, and the very elements that confound the confused shall themselves be confused, forsaking their proper qualities, as fire congeals or flows, darkness becomes visible, and death revivifies.²⁸ This antilogical Saturn, then, like the Saturn that makes

²⁸ *Moralia* 9.99; *Parson's Tale* 10.176-215. See my "The *De contemptu mundi* of Bernardus Morvalensis, Part One: A Study in Commonplace," *Mediaeval Studies*, 22 (1960), 126. The symbolism of

peace against his nature, is the *anomos nemesis* that inheres in the guilt of men.

In the *Teseida*, unlike the *Knight's Tale*, the gods need no peacemaker. Venus and Mars are as complaisant to each other as to their contentious votaries. Yet the tropology that Boccaccio outlines in his glosses reduces these deities and their respective heroes to the same psychological principles. These principles are the "due principali appetiti" of the human soul: "the concupiscible appetite through which man desires and delights to have the things that are delightful and pleasureable according as his judgment is reasonable or corrupt;" and "the irascible appetite through which man is disturbed because he is deprived of or blocked from the things in which he delights or because he cannot have them." Each principle may operate ordinately or inordinately-ordinately as in the "chaste and lawful desire ... to have women in order to have children" or in the righteous wrath that "receives the counsel of reason in reprehending and redressing wrongs," from which "many just wars have arisen and can arise every day." It is the inordinate operation that Boccaccio imputes to the gods and their heroes from the austere perspective of his glosses. Mars and Arcita are distinguished as representatives of sinful ("viziosa") and irrational anger from Venus and Palemone as representatives of lascivious concupiscence. In apparent accord with Aristotelian dogma, the irascible Arcita does manifest some semblance of that rationality which is quite lacking in the concupiscent Palemone.²⁹ It is Arcita who counsels the frenzied Palemone when surprised by him in the wood.

Let us both love quietly
Until Jove otherwise disposes us.
Perhaps things will change

.....
And that love which has inflamed me will be able to cease
And Emilia would remain to thee alone. (5.46-47)

Yet he dies discontented, thinking he has left his love "unfinished" ("infinito"), thus eliciting from Boccaccio another censorious gloss: "He had not lain with her, which many foolishly deem the end (fine) of love" (10.18.2-6).

Chaucer, while enhancing the dynamics of the *Teseida*, has refined

Babylon as confusion derives from the wordplay of Babel and Heb. *bālal* 'confused' in Gen. 11.9. The term war is cognate with OHG *werra* "confusion".

²⁹ Gauthier and Jolif, II, 631-32.

upon the differentiation of the two heroes. The concupiscent Palemone becomes the proprietary lover inflexibly set upon possessing and dominating as jealous lord and sole master the woman that he covets. Arcita is developed into the polar opposite — the "admirer", in the primary acceptation of that term, who aspires not to have and hold, but simply and only to behold, to contemplate with wonder, the woman he adores. To him, therefore, "love" — like any esthetic exercise — "is free" (1.1606). Such a sentiment could have accommodated itself not only to the Chaucerian *philotheamōn* but to his irascible predecessor, the *philonikos* or lover of victory, if Boccaccio had permitted this warrior to share with the warrior class of Plato's perfect state not merely the analogy to the irascible power of the soul but the obligation to community of women.³⁰ The recurrence of the verb "see" becomes, then, much more emphatic in the Chaucerian contexture of Arcita's service d'amor than the original repetition of the Italian *rimirare* or *vedere*, which signifies in the *Teseida* nothing more than a surrogate activity with which the rueful innamorato beguiles himself until someday somehow he may complete his love. This pregnant repetition of the verb "see" gives point to the question of love with which the narrator closes the first part of the *Knight's Tale*:

Yow loveres axe I now this questioun:
 Who hath the worse, Arcite or Palamoun?
 That oon may seen his lady day by day,
 But in prisoun he moot dwelle alway;
 That oother wher hym list may ride or go,
 But seen his lady shal he nevere mo. (1.1347-1352)

It lends irony to the climatic gesture with which Chaucer augments the catastrophe of the *Teseida*. When in the *Knight's Tale* the fury pitches Arcita upon the pommel of his head, he is "Lokynge upward upon this Emelye" (1.2679), while it is the sight of victory that elates his Italian counterpart just before his fall (8.130.3; 9.1.4). This polarity of the Chaucerian lovers is corroborated by the polarity of their champions. Reassigned by Chaucer from Arcita to Palamon, the troglodytic Lygurge comports with the primeval crudity of that convention which makes woman a chattel or commodity of man. In the prime of life, thick-set, black-bearded, with eyes yellow-red and with long raven-

³⁰ The terms *φιλοθεάμων* and *φιλόνικος* are accommodated from Plato *Republic* 5.20, 22; 9.7. For "admiration" (*θαυμάζειν*) as function of the irascible power of the soul, see *R.* 8.8. For "admiration" in the Aristotelian "magnanimous man," see Gauthier and Jolif, II, 293-95.

black hair, clad in a bearskin "col-blak for old," crowned with a ponderous gold wreath, and mounted on a chariot drawn by bulls, he is contrasted to the youthful Emetreus, fair, well-favored, citron-eyed, curly-headed, modishly accoutered, fashionably horsed, and garlanded with laurel — the spruce and elegant cavalier suitably invented by the English poet to uphold thaumastic love, the extreme variant of that service d'amor which, although several centuries old, was still regarded by Chaucer's contemporaries as novel.

Chaucer could have used the fall of Arcita, just as Boccaccio used his translation, to instill the contempt of the world, but the ethos of the narrator was better served when the moral lesson of the *Knight's Tale* was addressed to the dignity of man. The ostensible topic of this moral lesson is consolation for the death of a soldier killed in his youth — a topic that would come naturally to the lips of a veteran warrior like Theseus or the Knight himself. The real topic resonating there for every man with ears to hear, "but it be a fool," is Christian justice: the submission of man's will to the will of God. Since this moral lesson was to be imparted by the pagan Theseus, it was appropriately couched in the imagery of the chain of love that Boethius had accommodated from the wisdom of the gentiles. When man cooperates with the order established by Providence, he realizes the dignity of human nature. When, however, man confuses the order of goods, he falls into vanity, there to be punished by the ordered disorder apotheosized in Saturn. This vanity had been perceived in the *Teseida* from the concavity of the eighth heaven by the emancipated soul of the deceased Arcita; but Boccaccio's Palemone persists in his error to the very end of that poem. His soul remains unregenerate. His concupiscible and irascible appetites continue to exceed the bounds of reason as he passes from inordinate anger through inordinate sorrow to the inordinate joy with which at last he expends his inordinate concupiscence upon the person of his newly espoused Emilia. As if leaving the dead to be buried by the dead, Chaucer's narrator does not edify Arcita. He concerns himself rather with rescuing Palamon from the slough in which Boccaccio left him. Because the chain of love subsumes the perpetuation of the human species, there is in the lesson now read to Palamon a tacit admonition for those who like Arcita effect so sterile a mode of love as "admiration". Yet no mode of human love is acceptable to the Knight as a medieval moralist unless it embraces spiritual generation. The husband as master of his wife must not contravene the equality of the human condition by using his wife as a commodity for his inordinate self-love; neither should he transgress against God by propagating with her, as

Augustine said, merely for himself. Loving her as himself according to the second mandate of charity, which is the principle of the active life, and without jealousy serving her as "gentilly" as every superior must serve every inferior under the one Master of all, he will bring forth with his wife not only sons and daughters but a spiritual progeny of mutual benefaction. Thus the Boethian chain of love that "knytteth sacrament of mariages of chaste loves" (2. *Metrum* 8.23) becomes one with the Pauline "chain of peace" (Eph. 4.3) and "chain of perfection" (Col. 3.14).

As clerk Boccaccio condescended to the ladies whom he served as poet. From the long sustained sentimentality with which he proposed to "honor and please" the gentlewomen at whose "instance" he professed as scribe and obliquely as actor to treat of battles and love "*con pietosa rima*" eventuates predictably the salaciousness that caps the nuptials of Emilia:

True it is that by the offerings that went
 The morning after to the temples it is proved
 That Venus before daylight
 Was kindled seven times over and as many times extinguished
 In the fountain of love, from which rarely
 A good fisherman comes with profit to himself.
 Yet Palemone got up, come morning,
 More handsome and fresh than rose on thorn.³¹

Because the ladies being honored might not, given their muliebrity, understand these tropes, the clerk spelled them out in two plain glosses: "[*seven times etc.*]: Palemone lay vii times that night with Emilia" — seven, as any clerk would know, was a symbol long established in theological numerology for completion, reconciliation, rest after tribulation — "[*from which rarely etc.*]: because through too much fishing in the fountain of love they are as such that skin themselves." The fabliauesque, however, no more belongs to the ethos of Chaucer's Knight than the austerity of those palinodic glosses in which Boccaccio reflects the endemic ambivalence of medieval clerks toward pandemic Venus.

The noblest chivalric dedication has composed the temperament of the Knight. Fit to command men through long inurement to self-command, he is magnanimous in war and peace, patient of adversity, benign in prosperity; he can therefore apportion jest and earnest with

31 *Teseida* 1.2.1-2; 7.30.17; 12.77; 12.86.77.

the same discretion and serenity that he would dispense justice or mercy. Manifesting toward the "antic story" of the clerk Boccaccio the easy ascendancy afforded by the *leggiadria* of the "verray, parfit, gentil knyght," he can genially, yet earnestly, bless the marriage of Emelye and Palamon when they submit through Theseus to his sobering counsel, but with a drollery just as facile as the Aristotelian *eutrapelia* make game of Arcita and Palamon when they subject themselves to the follies lucubrated by the pallid servant of the naked Muses and a cruel figmentary Fiammetta.³²

The English narrator makes merry with the amorous strife of Arcita and Palamon throughout its course while insouciantly dilating the span of that course to some eight years between the enamorment and death of Arcita, on which is superimposed the "lengthe of certeyn yeres" required to stanch the tears of the Greeks.³³ From beginning to end the caricature is maintained — from the whimsical traduction of "romynge" (1.1065, 1069, 1071, 1099, 1113, 1119) that mocks the onset of the enamorment to the peremptory aposiopesis dismissing the soul of the decedent Arcita (1.2809-10) and the protracted paralipsis that derides the epic catalogue of trees, now stripped of epithets, and the pagan curiosities solemnizing in the *Teseida* the disposal of Arcita's body.³⁴ Sometimes the caricature is gratuitous, like the mock paronomasia juxtaposing the noisy joy of the crowd from which "It semed that the lystes sholde falle" (1.2662) to the sorrow of Venus, who "wepeth so, for wantynge of hir wille, / Til that hir teeres in the lystes fille" (1.2665-66). More often the caricature exaggerates an ineptitude provided by the infelicitous *curiositas* or poetic *cacozēlia* of the original. Thus the frigid conceit

hou the goddes ronnen up and down,
Disherited of hire habitacioun,
In which they woneden in reste and pees,
Nymphes, fawnes and amadrides; (1.2925-28)

the fatuous *rogatio* of the mourning women

"Why woldestow be deed," thise wommen crye,
"And haddest gold ynough, and Emelye?" (1.2835-36)

³² *Teseida* Pref. "A Fiammetta"; 1.2.2; 12.84.1; and final sonnet. For *leggiadria*, see Castiglione *Libro del cortegiano* 1.24-26; for *εὐτραπεία* Gauthier and Jolif, II, 316-17.

³³ In the *Teseida* only two months elapse between the gathering of the barons for the joust and their return home after the wedding (12.81).

³⁴ For the jocular use of paralipsis and aposiopesis, see Geoffrey of Vinsauf *Documentum de modo et arte dictandi et versificandi* 2.3.167-68 in *Les Arts poétiques du XI^e et du XIII^e siècle*, ed. Edmond Faral (Paris, 1924), p. 317.

the mock decorum that places the funeral "fyr" of Arcita in the same grove where he had "for love his hooted fires" (1.2857-64); or the platitudinous tautologies decorously transferred from Theseus to "his olde fader Egeus" (1.2843-46).

This caricature plays upon the multifarious and nugatory instances of the Scriptural *concupiscentia oculorum* or lust of the eyes that the Italian poem suggested to the fancy of Chaucer and his Knight. Thus the loves of Palamon and Arcita, which in the *Teseida* belong properly to the lust of the flesh, are each transmogrified into the lust of the eyes, two modes of which, the inordinate desire to possess property and the frequentation of idle, if not disgraceful, spectacles, are illustrated in a particularly inane fashion by the proprietary love of Palamon and the ophthalmic love of Arcita. This inanity, again, is magnified in the English version by the incognizance there imposed upon the evacuated character of Emelye:

But this is yet the beste game of alle,
That she for whom they han this jolitee
Kan hem therfore as muche thank as me.
She woot namoore of al this hooted fare,
By God, than woot a cokkow or an hare! (1.1806-10)

Her Italian prototype, the most vivid character in the *Teseida*, had, on the contrary, been alive to what was astir from the first *omè* in the garden and

although younger
Than complete love requires,
Nevertheless understood within herself what that aims at;
And, thinking that she knows for certain
That she has pleased, rejoices within herself
And holds herself more beautiful therefore and adorns herself more
When later she returns to that garden. (3.19.2-8)

The lust of the eyes emerges in still another mode when the predicament in which their captivation has entangled the two lovers is recapitulated as a question of love (1.1347-53) that ladies might speculate upon who have nothing more serious to do. This savors of that intellectual curiositas which exceeds the Pauline admonition to be wise unto sobriety. It proliferates in the Chaucerian caricature. Because Boccaccio purposed that his *Teseida* should be the first poem to make the naked Muses of vernacular poetry "sing / The sustained labors of Mars, / Never before seen in common Italian" (12.84), he dilated the judicial combat of Arcita and Palemone in the epic manner of Statius.

Nevertheless, in his commentary (7.30.1) he acknowledged the unjustness of this combat, which was not undertaken in righteous anger to redress wrong. Chaucer and his Knight evince a more profound disapproval of this resort to arms. They see in the ordeal by arms, just as in the oracular appeal to the pagan deities, a grotesque manifestation of that curiosity which presumes to manipulate Providence and to tempt God.³⁵ Then, as if to disparage the Italian's claim to priority, they dress out the combat of the lovers in the antiquated accents and mannered inversions of the rude alliterative style. Boccaccio, furthermore, had paraded in the verses and glosses of the *Teseida* his knowledge of pagan ritual and myth. This affectation is derided by the Knight when with mock reticence he pretermits the rite performed by Emelye at the temple of Diana (1.2284-88) and when with a non sequitur (compounding an error) he makes Perotheus a plausible agent to transfer Arcita from the purgatory of prison to the hell of exile because Theseus was later to seek Perotheus in Hades. The derision is extended even to leechcraft. The altisonant prognosis of the "grand Itmon" (10.11-14) is replaced by a summation impersonal, prosaic, and curt: "certainly, ther Nature wol nat wirche, / Fare wel phisik! go ber the man to chirche!" (1.2759-60). The lovesickness of Arcita amplified by Boccaccio with banal comparisons to the mythical Erisitone and "a thing returned from hell" (4.27-29) is punctiliously diagnosed as

Nat oonly lik the loveris maladye
Of Hereos, but rather lyk manye,
Engendred of humour malencolik,
Biforen, in his celle fantastik (1.1373-1376)

thus foreshadowing the epic dream of Mercury and "his slepy yerde" that Chaucer's fancy visits upon the sleepless lover.

While the polymathic tradition of the epic mislead Boccaccio here and there into pedantry, the heroic pretensions of the *Teseida* also required an epic machinery which he felt constrained to justify by means of allegory, the centuries-old device for accommodating to philosophic rationalism or Christian scruple the epic marvellous of a Homer or Vergil. Thus even the fury invisible to human eyes that tumbled Arcita has been rationalized in a gloss 9.5: "It is a most certain thing that beasts shy because of some fearful thing which they think they see, but that which they see or think they see no none knows." Dispensing with allegory, the ironic imagination of Chaucer puts the deities of the

³⁵ Gratian C. 2 q. 5. c. 22; X, 5.13.

Teseida in perspective by associating them with the new figure of Saturn. The prayers directed to them by the lovers are disencumbered of the journeys which like epic dreams they must make in the *Teseida* to the remote mansions of Mars and Venus, and these mansions are now incorporated in the portraiture of the temples built upon the lists. Boccaccio had declared in his glosses (7.30.1; 50.1) that he proposed to treat but lightly of these epic mansions, expressly leaving to those who did not write at the instance of ladies the task of dilating upon them with curious invention, division, and disposition. If the English narrator did not respond directly to this invitation, at least he let his satiric fancy range in mock dilatation of this portraiture far from the heroic to such inglorious *humilia* as "The cook yscalded, for al his longe ladel," the barber and butcher "of Martes divisioun," and, more grimly, the sow eating the child right in the cradle (1.2019-2025).

Villein obtrudes upon gentle when the *Knight's Tale* ends and the Miller, clapping "a devel wey" like the proverbial mill (1.3144; 4.1200; 10.406), interrupts the narrative sequence somewhat like Mischief obtruding upon Mercy in the later morality *Mankind*. Traces of the comic demon are likewise to be discerned in the physical detail appropriately lavished upon the Miller as a villein. The beard as red as fox, the nasal wart tufted with red bristles, the mouth as great as a great furnace call to mind the stage direction prefaced to *The Castle of Perseverance*, an early fifteenth-century morality: "He that schal pleye Belyal, loke that he have gunne-powder brennyng in pypys in his handis and in his eris and in his ers whanne he gothe to battel." The black nostrils of the Miller, his bagpipe and blue hood would no less become the demonic "boyes blo and blake" that blow their "brode baggys" at the behest of Belial in that play. The epithet *goliardeys* suggests a Scriptural type of the devil familiar to medieval exegesis, Goliath Philistaeus, whose name is thus explained by a twelfth-century commentator: "Goliath the Philistine signifies by his very name the devil. For *Goliath* means "revealed", *Philistine*, "falling from drink." For he is revealed by the Gospel to be the prince of darkness, who, protected formerly by falsehood, was worshiped as God in temples and venerated in images. Nevertheless, he is falling from drink who, drunk with the wine of pride, has been expelled"³⁶ Saturn was a god under whose image the contemporaries of Chaucer believed the devil was so worshiped, and it is as a grotesquely comic counterpart to the serio-comic Saturn of the *Knight's Tale* that the

drunken Miller imposes his misrule upon the characters of his tale. Hence the aptness of the voice with which he obtrudes upon the scene—the voice of the iniquitous ‘Iuge of Ierusalem’ from the mysteries:

The Millere, that for dronken was al pale,
 So that unnethe upon his hors he sat,
 He nolde avalen neither hood ne hat,
 Ne abyde no man for his curteisie,
 But in Pilates voys he gan to crie,
 And swoor, “By armes, and by blood and bones,
 I kan a noble tale for the nones,
 With which I wol now quite the Knyghtes tale.” (1.3120-3127)

Why a tale of diabolic justice should be assigned by Chaucer to the ethos of the thieving miller who tolls twice for himself and once for his master may be explained by the related image of Satan as sifter of wheat (Luke 22.31). A complementary explanation is suggested by the name Robin, which as a diminutive of Robert is appropriate to a churl. *Robert* was paronomastically associated with *robber* in Middle English, and *Robin Goodfellow* may already have become in Chaucer’s time an appellation of the incubus or puck, “that shrewd and knavish sprite” that sometimes labored mischievously in the quern.

The well ordered taxis of the *Miller’s Tale* that synchronizes the catastrophe of one train of plot (the searing of Nicholas) with the peripety of the other (the literal downfall of John) contrasts with the inordinate disposition not only of the persons in the tale but of the narrator himself. The *Knight’s Tale*, then, is requited with a churl’s tale that displays once again, though much more mockingly, the ordered disorder that punishes the disorder of human iniquity. The *anomos nemesis* through whom this judgment is now dispensed is the Mischievous Miller. While Saturn is thus transformed into the Miller, Arcita, Palamon, and Emelye are transmogrified into Absolon, John, and Alison. The young girl whom the Knight had reduced to a nullity throughout the serio-comic portion of his tale has become a mere “popelote”, though now described with much more physcial circumstantiality since she is a plebeian popelote. Impelled by the same inordinate irascibility that Boccaccio ascribed to Arcita, the “murie child” Absolon like Arcita is a sectary of Mars, but serves no longer as knight, rather as barber (1.2025, 3326). The kind of love that he affects is so thaumastic as to occasion no anxiety even in the jealous old carpenter (1.3364-67); he craves not so much to admire as to be admired. An amateur thespian, he aspires much less to play the role of *theatēs*

than of *theama*. The proprietary passion of the concupiscent Palamon has transmigrated into the jealous dotage of the "riche gnof" John. Meanwhile, with an incongruousness all the more risibly ironic because it is so superficial, the Miller has transferred the mischievous proclivities of the incubus and puck from himself to the clerk Nicholas, who is as "hende" in bower as the proverbial hawk in hall. Nicholas derives his name ostensibly from St. Nicholas, the patron saint of poor scholars who like Nicholas live off the bounty of friends. But the name also calls to mind the heretic Nicholas reputed to have taught in the primitive Church that wives as well as property should be held in common. This doctrine is a travesty of the orthodox principle requiring the wealthy as cheerful givers to share with the deserving poor the wealth the possessor does not need — a tenet which, together with the Pauline "sapere ad sobrietatem," is parodied by the Miller himself when he counsels the Reeve:

An housbonde shal nat be inquisityf
Of Goddes pryvetee, nor of his wyf.
So he may fynde Goddes foyson there,
Of the remenant nedeth nat enquire.³⁷

The name Nicholas may further have commended itself to Chaucer because of its paronomastic implications. It would suggest such terms as *nick*, *nycoll* "cheat" or *niggle* "swive", if they were so used as early as Chaucer's time; an implied paronomasia with the Middle English *niker* "mermaid" may explain the "murie throte" with which this sly clerk who is "lyk a mayden meke for to see" sings of the Annunciation. Predicting the flood, he intervenes in a function that astrology had long reserved to Saturn. Thus Lucan, in verses quoted by John of Salisbury *Policraticus* (2. 19), had declared Saturn capable of precipitating "Deucalionian rains," and in *Piers the Plowman* (B 6.325-27) Saturn is adduced to forewarn laborers of devastating floods and "foule wederes."

The meticulous cleanliness of Nicholas, Absolon, and Alison, so starkly different from the honest grime of Chaucer's Knight, heightens not only the spiritual vanity thus dissimulated but the corporal punishment inflicted upon that vanity. Of all the actors in the *Miller's Tale* Alison alone remains unpunished by the Miller. More properly, she

37 1.3163-66. Thus the Wife of Bath 3.323-36, combining likewise the motifs of God's privity, wife's privity, and acquisitive-inquisitive excess. With the lantern image 3.333-35 cf. Philip of Harveng *De institutione clericorum* 1.22 (PL 203.692-94); Helinand *Sermons* 18 (PL 212.626). For the accommodated interpretation of Rom. 12.3, see Rudolf Cornely, S.J., *Commentarius in Epistolam ad Romanos* (Paris, 1896), p. 650.

does not require punishment at the end of the tale. Judged and thereby deprived of her humanity from the outset, she is treated in the tale as if she were an irrational and therefore an inculpable animal. Before beginning his narrative the Miller had perfunctorily invoked the paramythic disclaimer required by the antifeminist ritual: "Ther been ful goode wyves many oon, / And evere a thousand goode ayeys oon badde." Like the bad woman of that tradition Alison is not so much an object as an instrument of Satanic vengeance, the seductive means by which Satan, the traducer (*diabolos*) of mankind, is permitted by divine justice to expose and confound the anomia of men. She is no more than an object through which the inordinate affection peculiar to each of the male actors is provoked and then gratified with a vengeance: the cupidity of the *senex amans amens*, the uxorious old fool, who is permitted to save the life of the wife that he loved more than his own life at the cost of impairing his equity in his wife's body and gaining the reputation of a madman; the vanity of the ophthalmic lover, who is allowed to perform the interlude of a kiss but only upon a "nether ye"; and the puckish cacozelia of the "sleigh" and "privee" clerk, who, because he persists inordinately in amending his well-spiced sleight, is scalded on the privy much as the comic demons are beaten on the buttocks in medieval drama. Thus the Miller, who so much enjoys discomfiting others that like Saturn he will not spare even his own disciples,³⁸ makes a special point of overreaching the one person in the tale that most like the Miller himself cannot forbear improving upon a jape. In punishing Nicholas, then, the Miller is vicariously executing judgment on his own vice.

To execute this judgment upon Nicholas, the Miller employs Absolon just as the devil in medieval drama would despatch one demon to beat another. Even here the Miller is requiting iniquity with confusion, for the colter is no less misdirected than the kiss. It is while intending to wreak vengeance on the woman that Absolon scalds the clerk. As an executor of demonic justice Absolon may seem at first glance incongruously pretty. Yet his theatrical success already has given promise of such a fulfillment. In the local mysteries, high on a scaffold, he has played the part of the Satanic Herod, who shared with Pilate, his enemy and friend, the judgment of Christ. His name is likewise an omen. He is the namesake of Absalom, who in his ambition to be judge of all Israel kissed every man that came for judgment (2 Kings 15.5-6), an Old

³⁸ John of Salisbury *Policraticus* 2.19.44od.

Testament type of Judas, who betrayed Christ with a kiss. Absalom, moreover, was the son — and it is appropriate in the emphatic confusion of the *Miller's Tale* that he should be the false son — of David, who, having no sword of his own, sheared off Goliath's head with the sword of the giant. The Miller's Absolon, having no sword of his own, borrows a plowshare. The irascible Martian is inverting the Biblical image of peace: he is converting a plowshare into a sword. Since the colter is a phallic substitute, the barber will, unwittingly and by the Miller's providence, sear Nicholas with Nicholas' own weapon.

Yet this symbolism may have more than an ethopoeic significance. It may be paramythic as well. The rustic plowshare with which Samgar slew the Philistines was a traditional symbol in Christian apologetics for the rudeness of Biblical diction that had offended the sensibilities of elegant gentiles. The episode of David and Goliath, in turn, like the very act of barbering, of clipping and shaving, had long been established in Biblical tropology as a symbol for the Christian utilization of secular literature. Thus the churl's fabliau, amoral and coarse, may serve to shadow forth, however grotesquely, a most solemn Christian truth — the anagogical relationship between anomia and Sheol, where there is no order and sempiternal mockery. Nor is such a reading precluded by the paramythic caution not to make earnest of game with which Chaucer ends the Miller's prologue, for this admonition does nothing more than secure Chaucer against the calumny of readers, no less envious than superficial, who might perversely read into the fabliau the detraction of women or the commendation of vice.

The Miller and Reeve are variants on the generic ethos of the false servant. They are differentiated by means of the same topos that distinguishes the Knight and Squire. Youth and maturity distinguish the two warriors; maturity and old age the villeins. The senescence asserted by the Reeve with apposite garrulity is manifest in each of his attributes — in the lean legs and sparse hair, for example, and in the suspicious cast, the avarice and irascibility, which no less than age itself are responsible for that leanness. Cunning has superseded violence, the complementary mode of malefaction in the traditional ethic, and the caution that long since rusted the Reeve's blade has disposed him now to ride at the end of the company.³⁹ With the passing of years the irascible force of his soul has become more operative while the concupiscible has become less, yet his concupiscible appetite finds in the lusts of the eyes the gratification now eluding it in the lust of the flesh.

39 Cf. Alan of Lille *Ant.* 9.167-87.

There is, however, no evidence that the Reeve, thin-skinned though he may be, harbors any more than the Miller Robin that vainglorious pride of life and worldly ambition (1 John 2.16) that the Reeve will impute to the miller of his tale, who exhibits besides the choler and cupidity of his inventor a social ambition scorned by the Reeve. His shaven face and shorn head, symptomatic of plebeian rank as well as age, suggest that his abode on the heath is a symbol not of social mobility but of acquisitiveness. The Reeve is "tukked" like a friar. Sitting down with cloak tucked above the knee happens to be a trait of the Theophrastan boor or rustic. The tuck would be a sign of low estate in the Reeve, of humility in the friar. Unlike the Aristotelian boor, who neither can nor will make game, Chaucer's Reeve is vexed not with jesting altogether but only with the Miller's. Far from adding nothing to the game, he insists on making his own bitter retort.

A consummate thief, the Reeve steals from his master while insuring that no inferior shall steal from him. Less adept, the Miller victimizes only his peers or inferiors, and he cheats them for sport rather than gain.⁴⁰ He enjoys violence no less than cunning. His moral distichs on husbandly faith and charity (1.3163-66) constitute a drunkard's parody of the Pauline *sapere ad sobrietatem* and a villein's burlesque of liberality. Yet they suggest that he is more given to the lusts of the flesh than to those of the eyes and that the irascible power of his soul is exercised more in joy than in anger. Not gain, not vengeance, but mischief is his study, gratuitous and autotelic. It is this puckishness that actuates the *Miller's Tale*. He has no grievance to avenge upon Oswald the Reeve; neither has the clerk Nicholas been aggrieved by John the carpenter. Oswald, whom age has rendered suspicious and vindictive, does, on the contrary, fancy himself aggrieved by Robin the Miller. What he resents is an implication which he gratuitously projects into the *Miller's Tale* — not so much the implication of cuckoldry presumed with malicious innocence by the Miller as another impinging on the Reeve's pride of workmanship — that, because he was a carpenter in his youth, he who can now outwit any auditor, he whom every bailiff, herdsman, or hind dreads as death, could now be "bigyled" by a clerk or miller like the gullible, fool-large old carpenter John. In his tale he purposes vengefully to retort this imaginary grievance upon the Miller.

⁴⁰ Thus Aristotle distinguishes between the *pseustēs* "false man" who falsifies for delight in falsification itself and the *pseustēs* who falsifies for glory or gain (EN 4.7.12; *Parson's Tale* 10.610). Cf. the Aristotelian distinction between the *mataios* and the *alazōn* (EN 4.7.10-11).

The Reeve proceeds methodically in his calumny. Presuming that his astuteness has been ridiculed in the fatuity of old John, he imputes to the miller, "deynous Symkyn," and the parson's daughter, his "digne" wife, a superciliousness typical of the "prestes file" in medieval literature and especially odious in a villein, yet nowhere manifested by the unpretentious Robin. Then he exhibits the arrant trick which this thieving Symkyn plays upon the clerks Aleyn and John. Next he permits the clerks to ease their grievances upon the bodies of the wife and daughter while the wife unwittingly and the maid wittingly consent as in each the proprietary interest of the jealous spouse and father is impaired. Finally the Reeve himself intervenes to amend all the jape. It is not his purpose, however, that Aleyn and John should be confounded. Rather in the confusion that supervenes upon the misplacement of the cradle, the Reeve consummates his demonic vengeance: he contrives that the proud wife, imagining she hits Aleyn, smites her proud husband. In the trickery thus retorted on the miller nothing perhaps titillated the avaricious heart of Oswald more than the treachery of the daughter Malyne. Malyne, in whose plebeian body only the incongruous eyes, "greye as glas," testify to the social aspirations of her parents and grandparent, yields her maidenhood to the brusque courtship of Aleyn with the élan of a Malkyn (2.30). When at dawn her lover parts, reciting his mock-romantic aubade, she betrays the hiding place of the meal purloined by her sire, who himself had wed none but "a mayde, / To saven his estaat of yomanrye."

The jocular Miller and the choleric Reeve thus serve the function of the *anomos nemesis* apotheosized in the morose Saturn. In the persons of Oswald and Robin the poet has represented the disorder that requites disorder. Iniquitous themselves, they do not convert themselves to justice before they presume to requite others, and the spirit in which they dispense this requital is demonic. Without mercy, without charity, it ignores the distinction between sin and sinner, between retribution and rehabilitation. Displaying the exuberance of maturity, Robin is prodigal of discomfiture. In the "joly Absolon" and the jealous carpenter he has discomfited the ophthalmic Arcita and the proprietary Palamon; in the overreaching Nicholas he has vicariously made game of himself. Old Oswald with the parsimony of age is less disinterested: as he cheats only from avarice, he punishes only for revenge.

Fabliaux like the Miller's tale and the Reeve's would, Chaucer knew, provoke censure. He had anticipated such criticism in the paramythic apostrophes of the *General Prologue* and the *Miller's Prologue*. In the preface to the *Man of Law's Tale* he answered such criticism. His defense was ironic, and to utter this defense he chose a suitable casuist, the Sergeant of the Law.

The Sergeant represents a class of men with whom the world had superseded the more primitive champions that disputants once employed to settle their quarrels by force of arms in judicial combat. He shares this title with those landless men-at-arms that fought as mercenary substitutes for landed knights in the feudal armies. He is a champion especially suited to his epoch, the Christian peace that is no peace but the peace of Babylon, the age of the false Christian, the hypocrite. Now that the Church has passed beyond the primitive epoch of the thaumaturge, this advocate will set men free with the law of Babylon. Now that the vanity of astrologers has been exposed by "the one certain prognostication that never can deceive, never be deceived — whatsoever God wishes to be or become, that shall become,"⁴¹ he will protect men against contingency with counsel that like "His purchasyng myghte nat been infect" (1.320).

This man of law, a mercenary that is using the profits of his office to establish a landed family, is an appropriate spokesman for Chaucer's ostensible defense. Selling his tongue for gain, he participates despite his seeming "greet reverence" in the ignominy of all those who, like the meretrix, expose for hire a member of their body.⁴² The solicitude with which he will keep the body of his heroine "unwemmed" is therefore ironic. Wise and discreet though he may seem and quick in judgment — "discretione promptus" — his technical perfection in the law only serves to heighten his ethical deficiency.⁴³ The talent of nature and of grace that he has received gratis from God he should employ for the profit of God in works of mercy, accepting only as a remedy of his own poverty the modest and proportionate hire of which each worker is worthy. For even in a just cause the advocate that demands a greater fee than he needs sins mortally, impairing that justice which requires that each man be given gratis that which is his own.⁴⁴

Like the character of the Sergeant, the tenor of his plea reflects the ironic attitude assumed by the poet toward his criticsasters. They merit nothing better. Superficial, sober-sided, perhaps disingenuous, they

41 Heiko A. Oberman and James A. Weisheipl, O.P., ed., "The *Sermo epinicius* ascribed to Thomas Bradwardine (1346)," *Archives d'histoire doctrinale et littéraire du moyen âge*, 33 (1958), 308-09. *Man of Law's Tale* 2.190-203, 295-315.

42 Peter Cantor *Verbum abbreviatum* 51-52 (PL 205.159-62); Gower *VC* 6.1.43-46.

43 Alan of Lille *Summa de arte praedicatoria* 41 (PL 210.187). Gower *VC* 6.5.377-80, restating the principle "Judge yourself before you judge others," familiar to Christian ethic and the Greek *ἐγκράτεια*.

44 Peter Cantor *VA* 51-52; Alan of Lille *AP* 41; Gower *VC* 6.3.181-82.

would hardly, he implies, savor a less specious rebuttal. In this rebuttal the Man of Law will parry two charges: that Chaucer can no more than any *poeta idiota* untrained in the arts of metric and rhythmic verse satisfy that end of poetry which is to afford pleasure, and that Chaucer has proved deficient in the complementary function of poetry, which is to edify with moral instruction. To disprove the complaint that Chaucer in his fabliaux has defamed womanhood, he cites the many "noble wyves" and "loveris" that Chaucer had already celebrated. It remains, however, that all these noble women derive from the remotest antiquity. None is recent, much less contemporary, and they constitute not a Christian but a pagan hagiography. The Sergeant then proceeds to mitigate the charge that Chaucer has written lasciviously by accommodating a banal sophism recurrent in the perdurable polemic against concubinary priests: "The couches of harlots hardly scandalize; / They are held to be venial since they are natural."⁴⁵ But Chaucer himself could have conceded no more substance to this argument of straw that poises the contranatural against the supernatural than the orthodox moralists who imputed it to their factitious adversaries. When the Sergeant undertakes to demonstrate that Chaucer is not a poetaster, his mode of argument once again is comparative, but the process is more tortuous. Having disarmed the critics with an apparent concession that his client "kan but lewedly / On metres and on rymyng craftily" (2.47-48), he proceeds to rank his own skill below Chaucer's, "I speke in prose, and lat him rymes make" (2.96), only to launch at once, not into prose nor into simple couplets, but into the complex rime royal of his *Prologue*. This performance of the Sergeant, however, like his "hoomly" garb, is to be assessed only as an unwitting parody on the rhetorical maxim that art should conceal art, and his self-depreciation becomes especially otiose when the proverbial ineloquence of medieval advocacy is compared with the attainments achieved in that art by the great practitioners of antiquity.⁴⁶

The prologue of the tale exposes in turn the Sergeant's imperfect sense not only of rhetorical principle but of the contemptus mundi. Proposing to treat of human misery in the narrative of the thrice exiled Constance, he could plausibly have derived his exordium from the misery entailed on human nature in the exile of this world. Poverty, the particular condition of human misery which he chose to single out, ap-

45 Bernard of Cluny *CM* 2.943-44; cf. *Wife of Bath's Prolog.* 3.733-36.

46 Cicero *De inventione* 1.18.25; cf. "sprezzatura" in Castiglione 1.26.

plies, however, not to his story but rather to his character. His remedy for this condition, furthermore, is uncanonical but characteristic. He had long since resolved to alleviate his own condition of poverty not by converting his love from mutable goods to the immutable Good in patient acquiescence, but by pursuing the complementary condition, wealth. Like Gower's *sergantus adultus*, he has put his trust not in God but in land.⁴⁷ It is evident, therefore, that this wise and discreet judge discerns no more than Harry Bailly the spiritual import of the acceptable time (2 Cor. 6.2) latent in the Host's banal moralizing on the fugacity of time (2.16-32). Disregarding both the misery and the culpability inhering in the affluent condition,⁴⁸ he has emulated the acquisitive spirit most valiantly exhibited by those happy wretches and felicitous exiles, the merchants, who wander far across the seas to bring back goods, news, and such stories as the tale he now rehearses. This devious prologue, then, does not "seem to arise naturally from the cause so as to cohere with, and belong to, the narration;" instead it seems to arise all too naturally from the character of the narrator, and the character that it suggests will hardly predispose a judicious auditor to the benevolence which an exordium is intended to elicit.⁴⁹

The *Man of Law's Tale*, a tale of detraction,⁵⁰ completes this ironic defense of Chaucer against his detractors. There, as if to mollify the sensibilities of the noble wives that Chaucer had scandalized in his fabliaux, the Sergeant undertakes to celebrate in the legend of Constance a calumniated wife whose superlative sanctity, excelled only by the virginal, is consummated with saintly widowhood. In each of its ethical dimensions, in its natural, unnatural, and supernatural facets, this legend of a figmentary saint that storytellers, not the Church, had canonized is accommodated to their nice taste for morality and holiness. Such wives, recognizing the time-honored verity that woman is born to suffer — "*nata pati*" — would approve the natural subjection that Constance exhibits toward one father and two husbands. They would savor that chasteness with which, like the patriarchs, married in the flesh but continent in the spirit, she yields to her husband his natural due. They would applaud the resolute purity that withstands the carnal assaults of the two salacious knights. They would never miss

47 Gower *VC* 6.2.141-42; 6.4.249; 6.5. The phrase "*sergantus adultus*," i.e., "*judex*," presupposes an ironic variant *adolescens-adultus* of the *proficiens-perfectus* formula; cf. *VC* 6.5.385.

48 Innocent III *De miseria humanae conditionis* 1.15; 2.2-16.

49 *Ad Herennium* 1.7; Cicero *Inv.* 1.18.26.

50 Gower *CA* 2.552-86.

the incestuous passion of father for daughter, which, explaining the reticence of Constance's prototype, would offend the good wives much more than the malice and tyranny of two unnatural mothers-in-law or the unnatural (2.298) wedding of east and west, for which Chaucer composed a simulated "eleccioun" from astrological tropes. Nor would they have reason to associate with the "unwemmed" Constance such occasions for reticence as repeatedly befell a much traveled heroine in the eighth tale of the second day of the *Decameron*. Although they lived themselves in an age when the universal profession of the faith called much less for the working of miracles than for the implementation of that faith in works of justice and mercy,⁵¹ they would nonetheless relish the miracles that sustained Constance like the children of Israel or the saints of the early Church. In unison with the Sergeant and Satan (2.582-83), they would conclude that the patience of Constance was perfect, and they would never suspect that they were wrong. Misconstruing the Scriptural fact that Christ is never reported to have smiled, they would overlook his injunction not like the hypocrites to look gloomy when fasting. Inflated with the nescience of pride, the critics of Chaucer and the advocate he has matched with them, like the Scribes and Pharisees, cannot imagine that perfection of patience which is filled with the joy of the Spirit. From that perfect grade their paragon, Constance, is far removed. She dwells at the lowest grade, the grade of incipient patience that bears its tribulations without rancor. Once she lapses below the lowest grade into the murmurs of impatience, when, landing on the English shore, she beseeches the constable "The lyf out of hir body for to twynne, / Hire to delivere of wo that she was inne" (2.517-18), not unlike the querulous victims of that miserable poverty sanctimoniously execrated in the Sergeant's prologue. Once she rises to the second grade of patience, the grade of the proficient who bear willingly, when, leaving the English shore, she says, "Lord, ay welcome be thy sonde!" (2.826). But "woful Custance" never ascends to the grade of the perfect who gladly bear.⁵² She never approaches the Pauline ideal of the cheerful giver, *hilaris dator*. Neither does her modern champion, the Sergeant, who does not deviate from the ethos of venal lawyers: "Without meed the discourse of their tongue is mute."⁵³ The "sobre cheere" with which the Sergeant begins his tale and with which,

51 Peter Cantor *VA* 78 (PL 205.227).

52 Bernard of Clairvaux *In natili Sancti Andree sermones* 1.4-9; *Serm. super Cant.* 34.3-4; Benedict *Regula monachorum* 5; Richard of Thetford *Ars praedicandi*, MS Brit. Mus. Harl. 3244, fols. 188vb, 189ra; *Pardoner's Tale* 10.675.

53 Gower *VC* 6.1.8; *Piers Plowman A* Prol. 84-89.

presumably, the critics of Chaucer would respond has, therefore, in the irony of Chaucer a significance they would never be sensible of. Eventually, for his perceptive readers Chaucer will present a tale of perfect patience in woman, to unfold which he will select a narrator whose perfection befits the perfection of his heroine — the perfect Clerk of Oxford.

Like the Sergeant's performance, the performance of the Manciple, the servant of lawyers, subordinates ethopoeia to paramythia. Except for the Sergeant, the Physician, and the pod of guildsmen, the Manciple is the only imperfect member of the pilgrimage to be described without physical detail. In the case of such perfect characters as the Knight, the Parson, and the Plowman, this pretermission expresses the large measure of freedom which they have been permitted by the cooperating grace of God to achieve from the corruptible body and earthly habitation that weighs down the mind (Wisd. 9.15). In the case of the Sergeant or the Manciple it signifies nothing more than the cover of impersonality behind which the lawyers exploit the law and the Manciple exploits the lawyers. The Manciple, embodying the ethos of false servant like the Miller and Reeve, excels them in the art of cheating. He practices his guile not merely upon inferiors, equals, or a gullible superior, but upon masters "mo than thries ten, / That weren of lawe expert and curious" (1.576-77).

The Manciple rehearses the etiological tale of the crow ostensibly to avert the exposure of his cheating by the Cook, whom he has ridiculed in his *Prologue*. Here the Manciple displays an equal capacity for detraction and its opposite vice, adulation. Having antagonized the Cook by the one, he mollifies him by the other, flattering the vice that he had just reprov'd, thus turning "erdest into game" (9.100). To insure further that he himself shall not be the victim of detraction, he employs the fable of the crow as an apologue directed against that species of manifest detraction which in hope of reward makes public a covert sin or hidden vice.⁵⁴ The crow stands for any would-be detractor of the Manciple, such as the Cook or Host. Phebus represents the lawyers of the temple, no less jealous of their reputation as "stywardes of rente and lond" than the god of his marital honor. Since woman was an established Scriptural symbol for the infirmity or frailty of the *homo terrenus* that prefers the creature to the Creator, the wife becomes an appropriate figure for the Manciple himself. Thus he bears witness

⁵⁴ Peter Cantor *VA* 12, 45 (PL 205.55-58, 140-144); Ovid *Metamorphoses* 2.631; *Ovide moralisé* 2.2449, 2475; Guillaume de Machaut *Le Livre du voir dit* 7996, 8085.

without shame to his own reprobate sense, sustained by the observation that as lust of the flesh is no wors in leman than in lady and pride of life in tyrant than in outlaw, so lust of the eyes or greed is no less honest in a manciple than in a lawyer.

Thus far the tropology of the apologue is ethopoeic, but a deeper tropology of paramythic function is indicated by the crow as key figure. Like every satirist that reprehends vice, Chaucer has exposed himself to the imputation of malice. He might evade such a charge by protesting, as he had in the *Miller's Prologue*, that his satire was a matter not of earnest but of game. Yet such a shift had been appropriated by adulators; the Manciple, veering in his *Prologue* from detraction to adulation, thus turns earnest into game (9.100). The satirist exculpates himself more cogently from the charge of detraction when — like Sheridan in the *School for Scandal* — he satirizes detraction itself. In the *Manciple's Tale*, accordingly, Chaucer is setting himself apart from the crow. He is tacitly aligning himself with the dove, which is opposed to the crow or raven in pagan literature and Holy Writ.⁵⁵ In Christian exegesis the dove becomes a symbol of the Paraclete or Advocate and of his members, the elect, whom that Advocate comforts while they make their pilgrimage here below in the flesh. These are the simple, who injure no one, who reprove the ungodly but reprove them in the charity of the Advocate. The raven, as thief and scavenger, symbolizes the false Christians that tear when they kiss, that not only steal their neighbor's purse but filch his good name, the members of the Archdetractor or Diabolos, who censure not to redeem but to destroy. The paramythic implication of the *Manciple's Tale* is that Chaucer wishes in all humility to be numbered among those who serve the advocacy of the Paraclete, not among those advocates of world and self who serve the Archdetractor.

Like the *Manciple's Tale*, the *Merchant's Tale* deals with marital infidelity. In each the unfaithful wife becomes a figure for the narrator although neither tale may seem on its face to be concerned with the ethos of the person narrating. The ethos prescribed for a perfect merchant by the Victorian Ruskin would have been acceptable to a medieval moralist. In pursuance of this social function, which offsets the natural dispersion of the goods necessary to human use, the medieval merchant would "bring nations together, settle wars, strengthen peace, and exchange private goods for the common use of all."⁵⁶ The true function or perfect ethos was not, however, that which

⁵⁵ Ovid *Met.* 2.537; Juvenal 2.63, cited by Peter Cantor *VA* 53 (PL 205.164); Augustine *In Joannis Evangelium* 6, cited by Gratian, C. 2 q. 7. c. 30; Gower *VC* 3.27.2035-42; 5.15.861.

⁵⁶ Hugh of St. Victor *Didascalicon* 2.23; Gower *VC* 5.11. Headnote; *Parson's Tale* 10.773-80.

the public in medieval or Victorian times was accustomed to expect. The merchant was presumed to act selfishly — to cheapen when he bought, to overcharge when he sold.⁵⁷ Chaucer's Merchant is a beneficiary of peace: "He wolde the see were kept for any thyng / Bitwixe Middelburgh and Orewelle" (1.276-77). Yet because he has not been faithful to his engagements, unlike the perfect merchant of Ruskin, he is now sequestered among the pilgrims as anonymously as Dives resides in hell. Nameless like the Scriptural Dives, like the *dives fugitivus* of ancient mime he is in flight.⁵⁸ He is playing the pilgrim — as verses from the *Shipman's Tale* intimate (7.233-34) — to avoid his creditors or his customers. With a facility essential to a profession of which Mercury is tutelary, "quasi mercatorum *κέρτος*", with a glibness that belies the paramythic disclaimer, "I kan nat glose, I am rude man" (4.2351), he improvises the tale of the adulterous wife as a cover to dissimulate the actual motive for his pilgrimage and to implant the notion that he is a fugitive from the cruelty of a wife. Prompted by the tale of Griselda, which it echoes grotesquely in the willfulness of the husband and the sham benignity of May, the *Merchant's Tale* is intended to clinch the ploy begun in the *Prologue*, a ploy well calculated to gain credence because tradition had long ago cast the wives of merchants as adulteresses. The cruel wife that the Merchant professes to have wed two months ago "and moore nat" he has espoused even more recently — at the very moment of his *Prologue* and only in his imagination. His protestation that he can speak no further of his "owene soore" is intended to dispose the pilgrims all the more credulously to link him with January and his supposititious wife with May. So assured is he in his guile, he does not expect any pilgrim to perceive the irony of that protestation: he cannot indeed speak freely of the sorry state to which he has been reduced not by his wife's but by his own cozenage.

The *Merchant's Tale*, then, is an allegory not of his marriage, but of his commerce with those who lend him their money or their confidence. January is an inveterate lecher whose capacity for self-delusion is matched by his wife's capacity for deception. Their travesty of marriage is tawdrily decorated with motifs that parody epic and romance — the sleazy service d'amor proffered by the squire Damian, the hymeneal

57 Gratian, D. 88 c. 11-13.

58 Coincidentally, the actors in the Roman mime wore multicolored coats. Chaucer's "in mottelee" may have been suggested by Ezek. 27.24. "Mottelee" like the "forked berd" would symbolize the duplicity of the Merchant. Cf. Raban Maur *De universo* 21.15 (PL 111.570-71); Gregory *Homiliae in Evangelia* 2.40.3 (PL 76.1305).

masque of Venus, and the mock-epic machinery of Pluto and Proserpina. In the union of these all too anthropomorphic deities, reduced like simulacra in a medieval miniature not merely to fairy but to human comportment, the union of January and May is betokened, just as, quite disparately, the conjunction of man and wife in the sacrament of marriage figures forth the conjunction of Christ and the Church Triumphant. Thus diminished, Proserpina, befriending the "naddre" Damian as if her name derived from "pro serpente," has transferred her favor from the golden bough with which Aeneas penetrated the Elysian groves to a pear tree. The Epicurean garden in which January "Shoop hym to lyve ful deliciously" recalls not only the *vergier* of the *Romance of the Rose* but in carnal parody the "hortus conclusus" of the *Song of Songs* (4.2143), the typological symbol of the Virgin Mary, here contaminated with the obscene symbolism of "wyket" and "clyket". Elsewhere such adventitious motifs from epic and romance could invest episodes from the fabliau with the aura of nobler genres, just as in the *Filocolo*, for example, the apparition of festive deities and torches "neither kindled nor borne by human hand" exalts the stealthy "congiugnimenti" of Florio and Biancofiore. Here they only make the vile more meretricious. Yet the poet extenuates the guilt of both the bride married "for coveitise of catel unkyndely" and the fraudulent merchant whom she figures forth. The metaphors "perilous fyr" and "naddre in bosom" and the oxymoron "famulier foo" with which the Merchant apostrophizes the squire (4.1783-86) apply as well in medieval tradition to the fleshly lust that January has long cultivated. Neither the wife nor the Merchant could deceive their victims if they were not predisposed to that deception by their own iniquity — by the greed, for example, that betrays a dupe to a swindler or those luxurious cravings the absence of which is said to have made the profession of merchant unknown in the golden age.

During ages less than golden the desire of mankind to indulge the lusts of flesh and eye and the pride of life beyond the frugal requisites of nature has despatched merchants far and wide across the seas. To navigate these seas and to transport their wares, the merchants have entrusted themselves to the mariners,⁵⁹ who as pirates and pilferers have preyed upon the merchants while they in turn were cozening their landbound customers. The Shipman claims such perquisites, sending home "by water" the victims of his piracy and rifling his cargoes "whil that the chapman sleep." This superiority of mariner to merchant the

59 Hugh of St. Victor *Did.* 2.23.

Shipman slyly celebrates in his tale. The tale, with its wordplay upon "cosynage" and "taillynge", is, like the *Merchant's Tale*, an allegory. In both a wife overreaches her husband, but in the *Shipman's Tale* a perjured monk overreaches the wife, who has diverted to him in a succession of oaths the faith which as a conjugal good she ought to have reserved for her husband.⁶⁰ The monk is made superficially to resemble the Monk of the pilgrimage: both are outriders, and both are conversant in the hunting of hares (7.103-05). Yet there is a significant difference. The pilgrim is "a manly man." Engrossed in the pleasures of the saddle and the board, he betrays no susceptibility whatsoever — the trite jests of the Host notwithstanding — to the delights of sex. The bold monk of the fabliau is rather to be taken as a figure, outrageously ironic, for the hardy Shipman himself, while the meretricious wife and the merchant "war and wys," the unwitting cuckold, her husband, together represent his mercantile victims.

The Shipman and the Cook, linked by rime in the *General Prologue*, are the only narrators to tell of a wife that traffics in adultery. The male world of ships at sea, like the Cook's purlieu of tavern and brothel, where seamen resort when they stray ashore, is no less removed from domesticity than the cloister of the monk, who is proverbially compared to a fish out of water when he roams from his monastery. The cynicism with which the uncivil Shipman regards woman animates the verses (7.11-19) in which he mimics the Dame Pernells of his time, and his inhumane contempt for woman as well as for the "nyce conscience" obtrudes in the antiphrasis that attaches the name "Maudelayne" to the sea-drenched barge which he rides with infinitely more grace than the rouncy he bestrides on the pilgrimage.

Like the Shipman, the Wife of Bath is a practitioner of a mechanic art. Adept at weaving and astute in commerce, she resembles thus far and no further the perfect wife celebrated in the alphabetic poem that concludes the Scriptural *Book of Proverbs*. This perfect wife clothes herself with white linen and purple. Her servants — in the Hebrew version — are clothed with scarlet. The color of these raiments would symbolize to a medieval exegete the wealth and charity of the perfect wife. The "gaye scarlet gytes" (3.559) of Dame Alice would express a disparate symbolism — the gaiety infusing the vegetative soul

in the season of desire, which
Once more clothes the fields with herbs and flowers,
When every animal becomes gay,
And shows its love in various acts. (*Filostrato* 1.18.1-4)

⁶⁰ Thomas Aquinas *Summa contra gentiles* 4.78.

The perfect wife is charitable to the poor. For the Wife of Bath the offeritory is little more than an occasion of pride (10.407). The perfect wife sustains the prosperity, tranquillity, and honor of her husband. She rears prosperous sons and virtuous daughters. Dame Alice has had five husbands and no children. The perfect wife provides for the future of her household so that she may smile in the time to come. The Wife of Bath is "nevere withouten purveiance / Of mariage, n'of othere thynges eek" (3.570-71). The perfect wife is moderate of speech. Dame Alice is garrulous. The perfect wife is God-fearing. Dame Alice is hold.

The Hebraic designation for the perfect wife, *'ēšet hayil* "woman of strength or valor or wealth" — thence *mulierem fortem* in the Vulgate — is rendered by the phrase *gynaika andreian* "manly woman" in the Septuagint and sometimes in Latin by the term *uxorem virilem*. These Greek and Latin renderings utilize an ancient metaphor in which man represents moral strength or fortitude, as in the Latin *virtus* or Greek *andreia*, while woman symbolizes infirmity or frailty.

The manly woman must be distinguished from both the virago, who is "mannish", and the temptress, who is "all woman," "tota femina."⁶¹ Dominated by the concupiscible faculty of her soul, the temptress emasculates man with her blandishments, thus justifying the interpretative etymology of *mulier* "woman" from *mollis* "soft". In the virago the irascible faculty of the soul dominates. When this domination is extreme, the virago, becoming "mannyssh wood" (4.1536), like the two stepmothers of Constance (2.359, 782), ceases to be a proper subject for satire, which now assumes the buskin of tragedy, "altum satura sumente cothurnum" (Juvenal 6.634).

The irascible faculty — by which the soul desires sovereignty and conquest and honor — and the concupiscible faculty — by which the soul desires sensual pleasure and material wealth — dominate by turns in the soul of Dame Alice. This dual domination is expressed by Chaucer in astrological terms. The impressions of the celestial bodies Mars and Venus upon the body of the Wife have produced a natural disposition in that body, inducing the Wife to elect her responses to the circumstances of life through the passions of wrath and of love and hate.⁶² The rational faculty of her soul, which should regulate these operations of the irascible and concupiscible faculties, has become subservient to them, and the Wife has been impelled to dominate each of her five husbands because in them the rational faculty has likewise ab-

61 Bernard of Cluny *CM* 2.454.

62 Plato *R.* 9.7; Thomas Aquinas *CG* 3.92.

licated to the concupiscible or irascible. Within the rational faculty of Dame Alice the discursive function, by which the soul learns (*mathēsis*), employs the criteria of experience and dialectic, “praktike” and “auctoritee”, to rationalize this subservience of the reason to the irascible and concupiscible. The prudential function (*promētheia*) is preoccupied with the “purveiance” (3.566,570) of husbands, and the deliberative function (*bouleusis*), by which the soul takes counsel, languishes while Alice, refusing correction (3.661-62), proclaims: “A man shal wyne us best with flaterye” (3.932). From the rational faculty thus subdued, which, if duly ordered, should have had for its object the truth, *alētheia* — *alicia* in medieval Latin — Dame Alice may have anaphorically received her name.⁶³

This triumph, however, of the concupiscible and irascible over the rational does not exceed the comic bound. Alice does not rehearse the arguments with which divines had long upheld the preeminence of the virginal or the continent state so that she may assert like Jovinian the parity of the conjugal. She seeks nothing more than to be exempt from saintly widowhood in which Constance found her haven and to an obscene parody of which January would relegate May after his death ever to “lyve as wydwe in clothes blake, / Soul as the turtle that lost hath hire make” (4.2079-80). The Wife of Bath seeks only to be allowed the freedom of unremitting recourse to a kind of marriage which settles for pathetically little — a marriage not blest with children born and bred for the glory of their Creator, nor symbolizing in its fidelity the bond of Christ and Church or Christ and the elected soul, but affording gain at worst and at best a transient illusion of faith and friendship, a phrenetic release from the incentives of the flesh, a remedy of lust.⁶⁴

The Christian ethic of medieval times bound the husband to rule, the wife to obey; yet, as the very term “rule” signifies, the husband was not to be a despot responsive only to autocratic self-will. The relation of husband to wife, like every other relation of superior to subject comprised in the active life, was derived ultimately from the second principle of charity, to love one’s neighbor as oneself. Like any superior the husband was obligated first to establish with ordinate love of self

63 Plato *R.* 4.15-16; 9.7-8; *Pardoner’s Tale* 10.401. For “alicia”, see John of Salisbury *Metalogicon* 4.14.

64 1.475; 10.915. Hugh of St. Victor *Summa sententiarum* 7 (PL 176.153-74); Thomas Aquinas *CG* 4.78. The Wife’s childlessness is the more remarkable when contrasted with the prodigious fecundity of the mythic Irish virago, at once generative and destructive of life, from whom she derives.

through the works of justice the submission of his will to the will of God. Then in the corporal and spiritual works of mercy, with love of wife just as with love of neighbor, the husband was bound to govern his wife like any inferior so that she would be encouraged to exhibit through the submission of her will to his the ultimate submission of her will to the will of God. In such a marriage both the Christian and Platonic criteria of justice (*eunomia*) would be satisfied — each member conforming to divine will, each spouse fulfilling his and her proper function, each soul ordering its faculties. The concupiscible and irascible would subserve the rational. Honored by his wife, the husband would accept his rule as a burden (*onus*) rather than an honor (*honor*), thus complying with the maxim for leadership enunciated by Augustine, *non praeesse sed prodesse*, not to dominate but to serve. This service would differ radically from the service d'amor, a mode of anomia in which the man as thrall is dominated by the woman as tyrant. The husband must rather serve his wife as every superior must serve his subject, supplying the spiritual guidance and the material succor by which the subject shall be enabled to live a happy life, a life deemed happy because it leads to the peace of the just hereafter. The husband, then, serves his wife as every superior serves his subject under the one lord and master, Christ. Such a ruler abides by the Stoic formula that Christianity had made its own. Because all men are by nature equal, no man should use another as a member of a lower species, no man should deprive another of his human dignity. But all men are equal by that nature in which God created them good and therefore equal. By that nature which fell in the sin of Adam all men are evil and therefore unequal. Inequality supervenes upon sin, rule upon evil. When the inferior is virtuous, there is no occasion for the superior to exercise his superiority.

The five husbands of Dame Alice had each been derelict to the office of husbands. The fourth, as an adulterer, had failed through inordinate self-love to govern himself in the works of justice. The rest, through inordinate love of their wife, had failed to govern her in the works of mercy. The first three, all uxorious dotards, had been delinquent through remissness. The fifth had succumbed to excessive rigor. In these four the abdication of reason to the concupiscible and irascible had been especially flagrant. The old men by virtue of their age, the clerk by virtue of his profession — all should have been wiser men.

Like the life of Dame Alice, the tale that she tells records the dereliction of man toward woman. In that tale her fantasy has transformed her memories and her hope. It is a tale of a man whose office requires

not wisdom but valor and fortitude, a knight who in the economy of the state should uphold the wise counselors in their governance of the workers and who should correspond to the irascible force in the economy of the soul, the virtue of fortitude, the spirit of honor, that sustains the rational in its guidance of the concupiscible. In life Dame Alice had employed the irascible and concupiscible faculties to stultify the rational principle in men who, like the "lymytours and othere hooly freres, / That serchen every lond and every strem" (3.866-67), should have been exemplars of reason, but who forsook that principle. In her fantasy she simulates the rational faculty to discipline a knight in whom the irascible faculty, deserting the rational, had capitulated to the concupiscible. She confronts the knight in two shapes—as a solitary maiden, lowborn and poor, and as an elf-wife, loathly and old. Through the figure of the solitary maiden violated by the knight, she adumbrates the exploitation that she herself as a poor girl of humble rank had early suffered from the sensuality of men whose reason was blinded to the dignity of "glad poverté" (3.1183) and the truth of "gentillesse". Into the form of the hag she projects the hope that she may in her wandering somewhere meet an irascible man, such as the knight, in whose spirit the love of honor, guided by the counsel of the Wife as if by the voice of reason, will annul the ugliness that age is inflicting upon her person. From a man thus amenable to the casuistry of her reason and its tendentious dilemmas, she will not withhold the obedience she has denied to every husband—even to the most complaisant clerk. Yet she cannot forget that a man susceptible of such inoculation will be found only in a world of Arthurian illusion where knights cannot rape peasant girls with impunity. So long as men in the practical world subject their reason and their spirit to lust, women such as the Wife of Bath must continue to overmaster them as temptresses or viragoes or tyrants however benevolent. Because the Wife is convinced that men will persist in their dereliction, she concludes her elfin sale, shifting tone abruptly, with a prayer appropriate not to the fantasies of romance, but to the jealousy and strife of the fabliau.

Like the ruddy-faced Wife of Bath, the rubicund Franklin is in medieval parlance an Epicurean. For both felicity consists in bodily delight. For the Wife this pleasure is venereal, for the Franklin it is ventral. In neither person is the operation which this pleasure attends directed to its natural end. The Wife does not indulge in coition for the generation of offspring, nor does the Franklin gormandize for the conservation of his body. In each person, moreover, the pleasure for which the operation is undertaken is perfected only when accompanied by a

second pleasure. In the Wife this is the pleasure of dominion, which the *Book of Genesis* assigned to the male. In the Franklin it is the pleasure afforded by the enjoyment of public esteem. Each of these concomitant pleasures gratifies an appetite of the irascible faculty — love of power in the Wife, love of honor in the Franklin. In both persons the irascible cooperates with the concupiscible to the emasculation of reason. The Wife is a travesty of the virile woman or *mulier fortis*. In her the dual operation of fortitude aborts as the patience of the good wife is displaced by the specious benignity of the despot. Such a wife no more sustains a husband than in her soul the concupiscible and irascible uphold the rational. The Franklin is a parody of the magnanimous man, in whom liberality or "franchise", if it is to remain a mode of justice in the quadrature of virtue, must not serve the love of fame but conform to the dictates of reason.⁶⁵

In the truly magnanimous man the sanguine complexion and the white beard and milk-white girdle of the Franklin might have signified the courage that invigorates magnanimity and the innocence integral to justice.⁶⁶ In the Franklin they are little more than sleek signs of the wealth that lines the stomach and the silk purse of a man whose years might savor wisdom rather than the remembrance of a past that never was. Red and white are common names for medieval wines. White and blood-red are the colors of the Biblical Dives (Luke 16.19). The Franklin is an epigonic Dives just as the bespurred Wife is the Scarlet Woman, barren now and widowed (Isa. 47.8-9), no longer sitting on many waters or the ten-horned beast or seven kings, five of whom have fallen (Rev. 17.1,3, 9-10), but sitting easily on an ambler, having already passed many a strange stream (Isa. 47.2), no longer of Babylon but of Bath, and savoring with relish, not remorse, the carnal memories of her youth. Both Alice and the Franklin are antiphrastically named — Alice from *alicia* because her reason prefers illusion to truth, the Franklin from *franchise* because his spirit confuses prodigality with liberality. Both situate their fantasies in the same nebulous region of non-reason, of make-believe, of "prestige", where each plays the part of a Celtic shape-shifter — the Wife as an elf-queen, somewhat removed from Chaldean prestigation, the Franklin as the "worthy vavasour" and hospitable host that entertained knights errant on the eve of adventure.

65 Cicero *De officiis* 1.5.15; 7.14; 1.20.68; 1.26.91. Gregory *Homiliae in Ezechielem* 2.10.18 (PL 76.1068-69).

66 Cicero *Off.* 1.7.20; 1.20.66. *Allegoriae in universam Sacram Scripturam*, s.v. *byssus, candor* (PL 112.875-76, 882); Alan of Lille *Distinctiones*, s.v. *byssus, cingulum* (PL 210.724, 740). Cf. Jerome *Adversus Jovinianum* 1.31. The term "complexioun" (1.333) refers to the Franklin's face as well as to his temperament: the sanguine person is "ruddy of colour."

The libidinous Wife, rejoicing in the pleasures of generation yet spurning the sorrows and conceptions of Eve (Gen. 3.16), is childless. The prodigal Franklin has sired a riotous son who does not carve before his father at the table. It is ironic that such a father should reprove such a son for lack of "discrecioun" (5.685), when the Franklin himself does not discern between fantasy and substance, between the veridical and the illusory, between virtue and specious vice. It is yet more ironic that such a judge and lawgiver should fail to discern the true nature of justice and of magnanimity. The Franklin is indeed more of "a burel man" (5.718) than he — like Epicurus — ceremoniously professes to be,⁶⁷ and his sagacity is even less developed than the "rude speche" (5.718) or the astrological knowledge that he ritualistically depreciates. He is in life "fool-large", an uncanonical St. Julian who disregards the eleemosynary circumstances, the "who", "what", "how much", "to whom", "where", "when", and "why", prescribed by Christian and pagan moralists alike for the distribution of the corporal works of mercy. He does not eat and drink abstemiously, in frugal satisfaction of the simple demands of nature, bestowing the large remnant of his wealth upon the deserving poor, his advocates before the supreme Judge.⁶⁸ Like the table of Dives or of the unblest prince who eats in the morning, his table stands ready, but only for guests as sleek as himself, makeshift substitutes for bygone chevaliers. In his "Breton lay" he celebrates a paragon of magnanimity who cannot distinguish slackness from forbearance, an exemplar of justice who stultifies both the spirit and the letter of good faith, a model husband who would dishonor his wife in the name and for the name of honor — who would impair the faith of their marriage bed to preserve the faith of her tongue.⁶⁹

This paragon Arveragus enters upon a marriage in which he reserves for himself no more than "the name of soveraynetee, / That wolde he have for shame of his degree" (5.751-52). Whether such an acephalous union in which husband and wife as "ami" and "amie" emulate each other in obeying each other is practicable under any system of ethics may be disputed, the verbal paradoxes of the Franklin notwithstanding. In matrimony as received by the medieval Christian, however, it would be as impossible as the elimination of the hazardous rocks. Between

67 Jerome *Letters* 70.6.

68 7.1598-1623; 10.465, 811-17. Cicero *Off.* 1.14; Ps. Cato *Breves sententiae* 17: "cui des videto"; Ambrose *De officiis ministrorum* 1.30; Alan of Lille *AP* 33 (PL 210.175-76); John of Salisbury *Pol.* 8.13; *The Perversion of the Works of Mercy in Middle English Religious Prose*, ed. N.F. Blake (Evanston, 1972), p. 139.

69 Cicero *Off.* 1.7.23; 1.10; 1.25.88. John of Salisbury *Pol.* 3.11.

husband and wife there can be no conflict of wills only when both wills are submissive to the will of God. Man impaired this submissiveness when Adam preferred to the will of God his own will and the will of Eve. Then physical nature became as refractory to human nature as it had become to the divine. Then the rocks in the sea became "feendly" to man, whom otherwise they would have served as he served God. If Arvergus had been a medieval Christian rather than an "olde Britoun," he would have incurred further guilt when, not content with thus abjuring the authority incumbent on the husband, he vacates the bed and board of his spouse for a casually indefinite period — "a year or tweyne" (5.809) — impelled by no more substantial a reason than "To seke in armes worshiþe and honour" (5.811). In such a fashion does the service of arms supersede the service of love, which had during a blissful "yeer and moore" (5.806) served as marriage for Arveragus and Dorigen, leaving the lady thus served inconsolably bereft. Exposed to speculations about divine providence, which are no less unepicurean than unchristian, and to the supplications of a "vertuous" (5.933) squire and servant of Venus, whose concupiscence blossoms in a garden that would have been too curious for Epicurus himself, Dorigen, to avoid the semblance of prudish *elatio* and to comply with the amenity prescribed for magnanimous ladies in the courtly code, promises to give that which she cannot grant without breaking her marriage vows if the squire should fulfill that which he cannot accomplish without recourse to an illusion contrived by natural, and therefore it would seem, Epicurean magic.⁷⁰ When the squire confronts Dorigen with such an illusion of the truth and invokes her troth, he precipitates a travesty of good faith in which the husband, enduring his woe with a misdirected *eukairia* or "temperaunce after the tyme" (5.785), yields the wife whom he has the duty never to yield in the discharge of a promise which, if he had the discretion of a just husband, he would repudiate as too vile to honor and which, if he were not as imperceptive as he is unimaginative (5.1094), he would suspect had been effectuated through fraud.⁷¹ The

⁷⁰ The Chaldean "illusion" or "jogelrye" would be demonic. (Cf. Isa. 47.9, 12, where Heb. *habārīm* corresponds to Lat. *praestigiae*, which medieval etymology derives from *praestringere*.) Thus Chaucer has refrained from suspending the foolish husband between what he would misconceive as perjury and what he would not recognize as conjuration.

⁷¹ 1.3165-66; 3.333-36; 7.1229-30. Cicero *Off.* 1.7; 1.16; 1.40.142. The oath made to Aurelius by Dorigen is deficient in the three concomitants of the oath specified by St. Thomas *ST* 2.2.89.3: (1) it lacks the judgment of discretion on the part of the swearer since Dorigen swears "by heighe God above" not from necessary cause and discreedly but lightly and "in pley"; (2) it lacks justice since what is sworn to is illicit; (3) it lacks truth insofar as the condition of the oath — the removal of the rocks — is fulfilled by illusion. For "free friendship" (*amicitia liberalis*) between husband and wife, which of itself precludes the notion of paramour, see Thomas Aquinas *CG* 3.123-24.

absurdity pervading this apologue of specious magnanimity and illusory justice is consummated in the question posed at the end by the Franklin as if to a court of love: "Which was the mooste fre" — the magician or the squire, each of whom gives up an exorbitant claim warranted by nothing, or the deluded husband, who will give up anything but the name of honor? Yet medieval readers would not find such absurdity out of character in a judge who is passed off as "Epicurus owene sone" (1.336), for they would recall Jovinian, the Epicurus of the Christians, who gave up monastic sackcloth for gleaming white raiment, who mistook his blood-red complexion for the kingdom of heaven, who could not discern between the merits of fasting and feeding or virginity and wedlock, whom, therefore, Jerome placed among the "illusoires seducentes" that shall come in the last days, walking after their own desires.

The presentation of the Physician and his tale derives its force from an ethological contention. The Physician pretends to the noble ethos of Doctor of Physic, teacher of the science of health. He is reduced by Chaucer to the ignoble ethos of the banal *medicus*. His pretension, exposed in the *Genral Prologue*, reveals itself more obliquely in the tale the Physician chooses to tell. In the ethologue he is displayed as the venal *medicus* who, despite the lofty misnomer of Doctor of Physic, does not gladly teach that which he knows, but exploits his knowledge as if plying a vulgar trade for blatant profit. Despite the philosophical title he affects, he is not a cheerful giver like the Clerk or Parson or any true philosopher. As a practitioner, therefore, of a mechanical rather than any liberal art, he takes his place in the procession of the pilgrimage between the craftsmen, cook, shipman, and weaver — among the artisans of the *artes mechanicae*.⁷² The philosophical heights to which he seems to rise in the telling of his tale are but illusory.

The cautionary tale that he propounds with its magistral digression on the nurture of the young is a performance devised to secure his title of Doctor, yet it serves rather to subvert his claim. It is a tale set in republican Rome, but — as any contemporary proficient in the liberal arts might be expected to remark — physicians were abhorred in republican Rome and excluded from that state.⁷³ Neither would the grand gesture of Virginius — slaying his daughter to preserve her

⁷² Hugh of St. Victor *Did.* 2.20.

⁷³ For the derogation of the Physician, see Petrarch, *Opera* (1554; rpt. Ridgewood, New Jersey, 1965), II, 881-86, 1199-1233.

chastity — commend itself unequivocally to a Christian moralist. One father of the Church, Jerome, had exempted from the sin of suicide the virgin that kills herself to preserve her chastity. A second, Ambrose, had extolled the mother and daughters that slew themselves rather than submit their bodies to outrage. But Augustine, though conceding that such martyrs, since they are venerated by the Church, may have been prompted secretly by the Spirit, refuses otherwise to condone suicide for those virgins who would plunge themselves into the ills of eternity to escape the ills of time, ascribing not to magnanimity but to pusillanimity this reluctance to bear the trials of corporal servitude or the disesteem of the vulgar.⁷⁴ If, then, it is at best dubious for the victim to commit suicide, how much more questionable would it be for her father to undertake filicide. Yet the dubiety of such a stratagem is lost upon a physician whose purview, limited to the physical, does not reach beyond *homo animalis* to *homo spiritualis* — whose interest in exploiting the union of body and soul blinds him to the principle that purity of spirit can survive defilement of flesh so long as there is no consent of will.

Even the moral which the Physician hangs upon the tale is suspect in this latter-day *ethnics* whose naturalism renders him hardly more conspicuous than the Shipman that precedes him:

Heere may men seen how synne hath his merite.
 Beth war, for no man woot whom God wol smyte
 In no degree, ne in which manere wyse
 The worm of conscience may agryse
 Of wikked lyf, though it so pryvee be
 That no man woot therof but God and he.
 For be he lewed man, or ellis lered,
 He noot how soone that he shal been afered.
 Therfore I rede yow this counseil take:
 Forsaketh synne, er synne yow forsake. (6.277-86)

The moral would be more in keeping with his true ethos and the tenor of his tale if secularized. A similar admonition is supplied by the *Secreta Secretorum*, a medieval fabrication on the governance of rulers, in the course of which an updated Aristotle undertakes to "teche" an imaginary Alexander "the science of phisik abreggid ... for that science with the techyng that cometh therof may suffice the in alle werkis in this world and in that othir." The philosopher proceeds to admonish

74 Ambrose *De virginibus* 3.7; Augustine *De civitate Dei* 1.16-29; Gratian, C. 23 q. 5. c. 11.

the ruler to avoid lechery: "Nobille emperoure, sett nought thyn hert in lecherie of women, for that is the lyf of swyne. Ioy and worshiþe shalt thou none have, while thou governyst the aftir that lijf and aftir the lijf of vnreasonable bestis. Dere sone, lecherie is destruccioun of body abreggyng of lijf and corrupcioun of vertues; Enemy to conscience, and makith a man oft femynyne. In whiche is oft tyme found cowardnes, and that is the grettist poynt of reproof that may be vnto chyvalrie." More than a generation before Chaucer, Thomas Bradwardine, citing this passage in his *Sermo epinicius*, had imputed the cowardice of the once ferocious Scots to the divine disposition of the lechery for which they and their king had become infamous. But the Physician is truly no more concerned with the universal causality of God than with the life hereafter. Neither is the unjust judge of his tale betrayed through conscience — not even through the natural insecurity of the evil conscience which for the moralist Seneca (*Epistles* 97.12-16) offset the law's eludibility. It is a loss of nerve that reduces the lustful Appius to suicide, and it is against such enervation, so perilous to those who earnestly love the world, that the Physician, who is numbered among them, would have drawn his moral if he were candid. All the more instinct, then, with ingenuous irony is the moral that his expatiation on the goods of nature, fortune, and grace enjoyed by the slain girl elicits in the simple mind of the Host:

Allas, to deere boughte she beautee!
 Wherefore I seye al day that men may see
 That yiftes of Fortune and of Nature
 Been cause of deeth to many a creature.
 Hire beautee was hire deth, I dar wel sayn.
 Allas, so pitously as she was slayn!
 Of bothe yiftes that I speke of now
 Men han ful ofte moore for harm than prow. (6.293-300)

Such a moral is redolent of a tradition utterly alien to this medicus — the contempt of the world and the vanity of human wishes. The irony is sustained when, with innocent odium, the Host, who knows little of philosophers, compares the Doctor of Physic instead to another class of men whose duty it also was to teach, the prelates. The abstemious narrator must have been no less repelled by the nostrum which the distressed Host prescribes for his "cardynacle", a cordial "of moyste and corny ale" (cf. 10.831).

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MALORY AND THE CHIVALRIC ETHOS

THE HERO OF *ARTHUR* AND *THE EMPEROR LUCIUS*

Michael Stroud

I

CRITICAL estimates of Malory's literary intentions have come full circle in the past century. During the 19th century Malory was acknowledged as the primary conservator of the English chivalric tradition. This theory was fixed by Edward Strachey's enormously popular edition and propagated through numerous volumes and retellings. This attitude was also maintained by scholars. Writing just after the turn of the century, William Henry Schofield summarized that judgment in his study on chivalry. Not only was the *Morte Darthur* a perfect encomium of knightly actions, but Malory as well "was undoubtedly a force for righteousness in his day. Because of such men as he, the English aristocracy has long been honoured, nay beloved."¹

But research in progress even as Schofield wrote was to make so lofty an estimation untenable. George Lyman Kittredge discovered details about a Thomas Malory of Newbold Revel in Warwickshire, a knight who had spent part of his life in prison, and the first real candidate for the authorship of *Morte Darthur*. Kittredge and others pursued these clues and by 1932 some disturbing facts had emerged.² The Winchester manuscript, discovered in 1934, provided final confirmation for this research when the author identifies himself as a "knight prisoner."³ The

¹ William Henry Schofield, *Chivalry in English Literature* (Cambridge, Mass., 1912), p. 123.

² Kittredge published his results in *Who Was Sir Thomas Malory?* (Boston, 1897). In 1928 Edward Hicks published the first thorough documentation of Malory's criminal career in *Sir Thomas Malory, His Turbulent Career* (Cambridge, Mass., 1928). Even more details were revealed by A. C. Baugh in "Documenting Sir Thomas Malory," *Speculum*, VIII (1933), 3-29.

³ The conclusion of *Le Morte Darthur* had included the author's prayer for "good delyuerance," but the phrase had not always been taken to mean deliverance from prison. At the close of the *Tale of King Arthur*, however, the author tells us "this was drawyn by a knyght presoner sir Thomas Malleorré, that God sende hym good recover" (*The Works of Sir Thomas Malory*, 2nd edition, ed. Eugène Vinaver [Oxford, 1967], p. 180).

cumulative portrait that emerges from the records is rather startling. Eugène Vinaver summarizes the charges as follows:

[Malory] was accused, but not convicted, of several major crimes alleged to have been committed in the course of eighteen months, from January 1450 to July 1451. These crimes included a robbery, a theft, two cattle-raids, some extortions, a rape, and even an attempted murder.⁴

These facts produced general dismay among critics who praised Malory's chivalric ideals. They supposed that a bad man could not produce a good book, that the criminal record discovered was that of a bad man, and that the sentiments expressed in *Le Morte Darthur* were good. Some explanation was needed to erase the apparent dichotomy between the man and his work. Many critics — among them Vinaver and C. S. Lewis — pointed out that despite the charges, no record of conviction exists. Others cited the disorder of the 15th century, and hinted that Malory's crimes may have been the invention of political enemies. Perhaps the best example of such critical casuistry dealt with Malory's rape charge. Kittredge reasoned that *raptus* could also refer to the forcible removal of Joan Smythe from her home. Edward Hicks, relying on Kittredge, argued that "The duplication of this particular charge is reason enough for rejecting [the charge of carnal rape]; it is ridiculous to suppose that Malory actually ravished the same woman twice."⁵ But this seems to be a matter of personal taste, rather than fact, and we have no evidence to prove that Malory would not want to rape the same woman twice — modern police records suggest that rapes are often repeated. Most significantly, Malory was not charged with *raptus* alone but on both occasions with "felonice rapuit & cum ea carnaliter concubuit."⁶

Unable to successfully excuse the Newgate prisoner of the charges, William Matthews tried another means of relating the author to the book. He did so by challenging the identification Kittredge had made, and summarized the basis for his theory that the author and the criminal were not the same man:

The man's career seems morally discordant with the book. It is extremely unlikely that he could have written the book in Newgate. The few conjectured allusions to Warwickshire people prove to be no allusions at all.

4 *Works*, p. xxii. Vinaver presents a bibliography of biographical studies on p. cxxxii.

5 Hicks, *Sir Thomas Malory*, pp. 52-53. Lewis made a similar point in "The English Prose *Morte*" (in *Essays on Malory*, ed. J. A. W. Bennett [Oxford, 1963], p. 10).

6 Reprinted in the Appendix to Hicks' *Sir Thomas Malory*, p. 96.

The language gives no evidence of Warwickshire origin, and in fact points elsewhere. It seems likely that the Warwickshire Malory was not in prison at the time the book was written in prison. And even if he were in prison, he was much too old to have written it.⁷

Matthews' evidence is only conjectural, however. Though it seems unlikely that these works could have been written in prison (Newgate or any other), the author plainly tells us he did so. The references to Warwickshire locations and people that Hicks thought he had found are, at best, secondary proof of identity; there seems no evidence for either author in such clues. Matthews' attempt to demonstrate the author's northern origin is far more doubtful. He argues that the very scarcity of northernisms in the texts is evidence of Malory's northern origin, since the dialect traits persevere through the "standardized texts." But this is to read backwards. Both the Winchester MS. and Caxton's text, as Vinaver has shown, are three times removed from their author, and their infrequent northernisms are as likely scribal in origin. Malory, moreover, is working in a self-consciously antique style and may have used such terms for artistic ends.

While we have no evidence that the Warwickshire Malory was imprisoned at the announced completion of the book, no contrary facts exist either; his exclusion from the three general pardons issued by Edward IV in 1468 suggests (though not conclusively) that he was still in prison.⁸ The question of age is trivial. Matthews assumes that Malory was 21 when he served at Calais in 1414, but that estimate could easily be too high by six or seven years. Edward IV (then Earl of March) accompanied his father, Richard of York, at the first battle of St. Albans when he was 13. Edward was precocious, but not unique. It is, moreover, more than a little hazardous to speculate on what a man can do based on statistical norms. Professors Matthews and Vinaver, when they completed their studies on Malory, were about the same age as the Warwickshire prisoner would have been while composing the bulk of his work. While this is not demonstrative of Malory's capacities, it should make us cautious of asserting what is possible at a given age. Finally, Matthews' candidate, Thomas Malory of Studley and Hutton, fails the only tests of identity we can apply. Conjecture aside, we know only three biographical facts directly from the author: that his name

⁷ William Matthews, *The Ill-Framed Knight* (Berkeley and Los Angeles, 1966), p. 73.

⁸ Historians have noted that other men excluded from pardon were not imprisoned at that time. See *Works*, xx, note 3. Matthews has protested that this Thomas Malory is not the same man named in the earlier records (*Ill-Framed Knight*, pp. 130-136).

was Thomas Malory; that he was a knight; that he was a prisoner. Matthews' author was neither a knight nor a prisoner. C. S. Lewis remarked, almost in anticipation of Matthews' proposal: "By all sound methodological principles a Malory whose Christian name was Thomas, who was sometimes (like our Malory) in prison, must be assumed to be the author until any evidence to the contrary turns up."⁹ Matthews' skepticism is engaging, but not convincing without evidence.

No responsible argument about the nature of Malory's works can depend on the author's identification as the prisoner in Newgate. The author (to paraphrase both Matthews and Mark Twain) may have been a different man of the same name. But we must not misread the works in order to prejudge the kind of author who might have written it. And a careful examination of the text reveals not only that the Newgate prisoner could have been the author, but makes such a conclusion likely.

II

Matthew's objection stems not from evidence but his distress over the "moral discord" between the man and the book. That "discord," however, entails an *a priori* assumption about the nature of Malory's works. The contents of *Le Morte Darthur* are moral, so the argument goes, therefore the author should have been morally upright. The precept that this is a work of morality does not have a long tradition, however. Ascham perceived no fine sentiments when he characterized the *Morte Darthur*:

The whole pleasure of which book standeth in two special points—in open manslaughter and bold bawdry; in which book those be counted the noblest knights that do kill most men without any quarrel and commit foulest adulteries by subtlest shifts ... This is good stuff for wise men to laugh at or honest men to take pleasure at. Yet I know when God's Bible was banished the court and *Morte Darthur* received into the prince's chamber.¹⁰

Ascham's specific reference to the *Morte* is unique among Renaissance writers, but his sentiments are not. Caxton expresses certain doubts about the morality of his text as well, and though he does not engage in outright criticism, he is far less confident than many modern critics:

9 "The English Prose *Morte*," p. 8. Matthews used similar reasoning himself to dismiss yet another candidate for authorship: "Nothing in the other details of this claimant's life gives any reason to believe that he was ever in trouble with either the law or the military" (*Ill-Framed Knight*, p. 37).

10 Roger Ascham, *The Schoolmaster*, ed. Lawrence V. Ryan (Ithaca, N.Y., 1967), pp. 68-69.

For herein may be seen noble chyvalrye, curtosye, humanyté, frendlynesse, hardynesse, love, frendshyp, cowardyse, murdre, hate, vertue, and synne. Doo after the good and leve the evyl, and it shal brynge you to good fame and renomnee.¹¹

As Vinaver notes, Caxton "does not say that [the proper] choice is necessarily implied in the text or that Malory himself intended his 'noble histories' to serve as a means of moral improvement."¹²

Ascham and Caxton were troubled by materials in the works that most modern readers ignore. Ascham's judgments may be too harsh — Malory does not hold up villains for praise — but they do reflect on sentiments expressed in the tales. In one instance, Launcelot amuses himself by riding about in disguise. He knocks down his two friends, Trystram and Palomydes. Then as part of the same joke, he disparages the Round Table and kills the young knight (Sir Garlardonne) who attempts to defend it. In the same good humor he seriously wounds Gawayne and Bleoberys. But this mayhem fails to perturb Malory, and the characters are highly amused by the trick.¹³

Perhaps the most sustained exception to the traditional judgment must be made for the *Tale of King Arthur and the Emperor Lucius* (hereafter called *Arthur and Lucius*). Caxton cut the work by more than half, but even the truncated version failed to capture an audience: Sidney Lanier in his popular *Boy's King Arthur* simply omitted it from his edition. The publication of the Winchester Manuscript in 1947 did not engender any affection for the whole tale, and it is often treated as a violent anachronism among the tales of chivalry.

The tale is filled with unremitting battle, and the virtues praised are

11 Caxton's preface to *Le Morte Darthur*, in *Works*, p. cxlvi. John W. Donaldson, a recent modernizer of Malory, is one of the few who have noted this. He points out that "Malory's characters are dissolute, wordly, noble, ambitious, cruel and brave; his ladies are quite amorous. The characters of the quest, however, are rarely human; rather are they religious abstractions. Yet, unfortunately, this religious or spiritual quality has predominated in, and has colored, popular revision and popular illustrations of Malory. This, I feel, has given rise to a generally false impression of the tale and of the character of Arthur and his knights" (*Arthur Pendragon of Britain* [New York, 1943], p. ii). The few illustrations provided by Andrew Wyeth suggest quite a different world than that pictured in Arthur Rackham's drawings for Pollard's volume or the lush world painted by N. C. Wyeth in the *Boy's King Arthur*.

12 *Works*, p. xxviii.

13 *Ibid.*, pp. 563-571. In his note on this passage Vinaver points out that in Malory's source the acts are done by a knight whose name is never known. He remarks that Malory "could not help noticing that the identification detracted from Lancelot's character; but he must have thought this a lesser evil than leaving a character unidentified" (p. 1484). The second point is certainly true, though Malory could always have called up Sir Breuse saunze Pyté as his villain. Apparently Malory did not regard such actions as contemptuously as we might.

those of a fighter. Arthur, the hero of the tale, is established as a cruel warrior when Lucius' messengers plead "Crowned kynge, nyssedo no messyngers ..." (p. 185, 17).¹⁴ The reader rightly suspects that Arthur is more than capable of misdoing messengers. In the initial battle of the campaign, Gawayne arranges an ambush that produces numerous prisoners. When Arthur receives the reports of the battle, Malory says "The kynge thanked Cryste clappyng his hondys" (p. 211, 9). But when he learns that Gawayne has been injured his mood changes dramatically and he flies into a rage: "There is no golde undir God that shall save [the prisoners'] lyvys, I make myne avow to God, and sir Gawayne be in any perell of deth ..." (p. 211, 11-13). Later he consoles Gawayne with an offer of revenge not found in the source:

And yf I wyste hit myght glad thy hert othir fare the bettir with hit, I sholde presente the with hir hedys thorow whom thou art thus rebuked.
(p. 211, 25-28)

Launcelot, the embodiment of the French chivalric ideal, makes his appearance in this tale, but his actions give no hint of his courtly origins. He too is distinguished by his might, perhaps best when he meets the emperor in personal combat:

And than he russhed forth unto sir Lucyus and smote hym on the helme with his swerde, that he fell to the erthe; and syth he rode thryse over hym on a rowe, and so toke the baner of Rome and rode with hit away unto Arthur hymself. And all seyde that hit sawe there was never knyght dud more worshyp in his dayes.

(p. 220, 17-23)¹⁵

Launcelot has no compunctions about trampling his fallen opponent, and the reaction of Arthur's army endorses such abuse. But riding over a fallen enemy is the worst of chivalric sins, the very act by which the villains of the later tales distinguish themselves.¹⁶

Arthur's cruelty, however, dominates the work. When Kay is wounded at the battle of Sessoyne Arthur himself pulls out the spear head

¹⁴ Page and line references are to *Works*, second edition.

¹⁵ Later we learn that Launcelot has only wounded Lucius; Arthur slays him in the climactic battle of the tale. In the *Morte Arthure* both Launcelot and Arthur kill the emperor at different times.

¹⁶ The most intransigent enemy of Arthurian chivalry throughout the *Tale of Sir Trystram* Sir Breuse saunze Pyté, is distinguished by his penchant for trampling his fallen opponents. Once, having unhorsed Gawayne, Breuse "rode [over] hym and overwarte hym twenty tymys to have destroyed hym." Sir Trystram, who witnesses the battle, is outraged at "so vylaunch a dede" (*Works*, p. 512 — see also pages 614 and 686 for similar scenes). The only meaningful explanation for such an inconsistency must be that Malory endorses different values in different tales.

and promises: "I shall revenge thy hurte and I may aryght rede." He rides into battle and "in this malyncoly metys with a kynge, and with Excalyber he smote his bak in sundir" (p. 222, 20-23). His conduct in the triumphal battle — in which he kills the twice-wounded Lucius — is shocking by any standards:

For evir kynge Arthure rode in the thyckeste of the pres and raumped downe lyke a lyon many senatours noble. He wolde nat abyde uppon no poure man for no maner of thyng, and ever he slow slyly and slypped to another tylle all were slayne to the numbir of a hondred thousand
(p. 224, 17-22)

Malory clearly admires a man who will not "abyde uppon no poure man for no maner of thyng," yet these are hardly the values praised by Schofield and his contemporaries.

The most frequent excuse offered for the tale's uniqueness is based on the source. In most of his other tales Malory worked from French romances, while this tale is taken from an English poem, the alliterative *Morte Arthure*. The source is an heroic battle poem, describing the last great achievement of Arthur and his knights before the fall of the Round Table.¹⁷ The poem was probably one of Malory's earliest contacts with the Arthurian matter, but some of his changes indicate that he was at least partially aware of the unique qualities of his source.¹⁸ He did not remove the violence of his source, however, and we must not assume that he could have found no other story of Arthur with which to work. Apparently the poem appealed to him and the changes

¹⁷ In his edition of selections from the alliterative *Morte Arthure* (Evanston, Ill., 1967), John Finlayson notes "that the prime subject of *Morte Arthure* is war and the glories of war ..." (p. 11).

¹⁸ The order in which Malory wrote the tales has been a matter of considerable debate. Vinaver first suggested that this tale was written before *The Tale of King Arthur*, which precedes it in all extant editions of Malory's work. His arguments appear in his Introduction to the *Works*, pp. li-lvi. Jan Šimko in *Word-Order in the Winchester Manuscript and in William Caxton's Edition of Thomas Malory's Morte Darthur (1485) — A Comparison* (Halle, 1957), esp. pp. 111-12, seems to confirm this judgment. The writers of *Malory's Originality* (ed. Robert M. Lumiansky [Baltimore, 1964]) have criticized the analysis that Vinaver used. It is unlikely that we shall ever know what Malory knew, nor can we discover the "correct order" of composition (we might try this task in relation to *Leaves of Grass* to see the difficulties). But we can conclude that Malory either did not know — or chose to conceal — a great deal: that Kay was the Seneschal (it is Clegis who attends the Roman messengers); that this story would be (or had been) briefly told in *The Tale of King Arthur*; that Arthur was traditionally not a military figure but an organizational device; that Cador was an unknown knight while Lott (whom he ignored) was very important; that Launcelot was, above all else, courtly lover to Guenevere. These and other omissions must suggest that Malory had not examined the material at great length before he began this tale. Critics who believe that he was familiar with the matter must explain his apparent ignorance.

he made were intended to make the story more precisely what he wished it to be. With remarkable tenacity, Malory preserved the events described by the poet until the Pope comes to crown Arthur. At this point he abandoned the poem to write a happy ending without precedent in any of the sources.¹⁹ The problem is not Malory's source, but his choice of *Morte Arthure* as his source.

The values reflected in the *Tale of Arthur and Lucius* — values that are reasserted throughout the tales — are quite different than tradition would hold. The society portrayed here is violent and unforgiving, intolerant of weakness and disdainful of compassion. This is not to say that the tales are uninteresting or without any sentiments, but that the sentiments would not be maintained by a "gentleman" today. Muriel Bradbrook correctly argues that: "The inner core of feeling which lies at the centre of Malory's world is the masculine bond of fidelity, the old loyalty of the band of fighting men"²⁰

If we are to understand the message of Malory's works, we must try to comprehend values such as these. Roger Sherman Loomis insists that if the charges against Malory are true, then the author of these works "was both a hardened criminal and a hypocrite."²¹ Such a conclusion relies on the implicit assumption that hardened criminals have no ethical standards, that a criminal could not have written these works. This assumption must be questioned. Kittredge recalled the words of an earlier historian regarding such criminality: "The qualities of the knight errant and the gentleman have often been attributed to the highwayman and the brigand. Nor can it be disputed that the highwayman and the brigand have much in common with the knight errant."²²

19 J. L. N. O'Loughlin made a unique suggestion in his discussion of the poem in *Arthurian Literature in the Middle Ages*, ed. Roger Sherman Loomis (Oxford, 1959); Chap. 38, "The English Alliterative Romances," pp. 520-527. He acknowledged that most writers assume that Malory changed the ending, but made his own hypothesis: "Though it is generally assumed that Malory postponed the tragic doom and brought Arthur back in triumph from Rome, thus contradicting the poem as we have it, there is some evidence that he followed a version which ended in this way. For the prelude of the poem (vss. 16-24) promises no more, and the closing passage in Malory where he diverges from the Thornton manuscript contains phrases which seem to be drawn from an alliterative poem" (p. 526). Such a conclusion inevitably qualifies Malory's originality if he is not the author of the ending. Matthews, on the other hand, concludes not only that Malory used this version but the very manuscript available to modern readers (*Ill-Framed Knight*, pp. 98-99).

20 Muriel C. Bradbrook, *Sir Thomas Malory* (Supplement to "British Book News" [London, 1958]), p. 18. Charles Moorman has drawn on the American Western film as an analogy to Malory's view of right and wrong in *A Knyght Ther Was* (Lexington, Ky., 1967 [p. 121]). Though an extremely apt comparison, Moorman errs in placing Malory on the side of the marshal and the town rather than that of the Wild Bunch.

21 *The Evolution of Arthurian Romance*, p. 169.

22 Preface to Edward Hicks' *Sir Thomas Malory*, p. vii.

Malory's praise of chivalry might be more understandable if we examine what the term could have meant for him, rather than assume that "chivalry" has always referred to the same values.

III

During Malory's lifetime the chivalric ideal was agonizingly confused. To praise a man as a perfect knight might mean that he was either an ideal gentleman or a hired bully in livery. Some confusion over the actions properly deemed chivalric is inevitable in Malory's works. The confusion is heightened by Malory's tendency to describe his characters, as a recent critic noted, "in moral and emotive terms. His characters cannot be separated from the response he builds into them."²³ Malory's praise — or condemnation — of a character precedes the action, and the reader is tempted to accept Malory's judgment without examining the action himself.

This chivalric schizophrenia began when feudalism based on land ceased as a national institution in 1290 with the passage of the statute of *Quia Emptores*. After that year, vassals were free to pay a fee rather than offer personal military service, and lords were permitted to hire knights for a cash reward. This new system has been called "bastard feudalism" since the 19th century, and it appears to have had little relation to feudalism or chivalry. Paul Murray Kendall summarizes the basis of the order as:

A cash-and-influence nexus called "livery and maintenance." In return for his services — usually armed services — a "retainer", often bringing with him numerous adherents, received from his "good lord" money or other compensation, and wore the lord's colours ("livery"); and, in addition, if the retainer was harassed by the law or by enemies, the lord promised to give him protection ("maintenance").²⁴

Wealthy lords paid as many men as they could afford to wear their livery and to act as a private army for them. The presence of such armed bands fostered the Wars of the Roses, and created much of the in-

²³ P. J. C. Field, *Romance and Chronicle: A Study of Malory's Prose Style* (Bloomington, Ind., 1971), p. 86.

²⁴ Paul Murray Kendall, *The Yorkist Age* (New York, 1962), p. 209. This subject was explored in depth by N. B. Lewis, "The Organization of Indentured Retinues in Fourteenth-century England," in *TRHS*, 4th ser., XXVII (1945), 29-40. His ideas were expanded by K. B. McFarlane in "Bastard Feudalism", *Bull. Inst. Hist. Res.*, XX (1945), 161-180. Both writers are extremely critical of the "degraded" form of chivalry they discuss.

ternal disorder in England that fills the *Paston Letters*. The system was a constant threat to the peace of the whole country and to the power of the crown. Edward IV and Henry VII, kings whose power rested on their personal popularity and public acceptance, worked throughout their reigns to end the system of private armies.

But if we wish to understand Malory's sensibilities, rather than to judge the validity of "bastard feudalism," it will be valuable to examine his relation to the system. He seems to have begun his military career as a retainer to Richard Beauchamp, Earl of Warwick.²⁵ His initiation into chivalry began at the zenith, since Warwick was renowned as a model of courtly virtues: the Emperor Sigismund remarked of Henry V "That no Christian Prince hath such another knight for Wisdom, Nurture and Manhood, that if all courtesie were lost, yet it might be found again in [Beauchamp]."²⁶ Malory apparently joined Beauchamp in Henry's conquest of France, and the praise for his lord and the success of his king must have persuaded him that the actions he saw revealed chivalry at its best. He could not have known that the invasion signaled the death of chivalric courtesy and the end of knighthood as a practical military force. Henry's goal was simply to conquer by destroying his enemies; in such a scheme personal honor counted for little. "The days were past," Sidney Painter comments, "when generals cared little whether they won or lost so long as it was done gloriously."²⁷ Prisoners were executed, rather than protected, and the heroes of the war were English longbowmen, not knights.

These great changes, noted by modern historians, could not have impressed Malory or his contemporaries. Though the ideals of chivalry disappeared from actual combat after Agincourt, the terminology of

²⁵ This assumption arises from the statement in Dugdale's *Antiquities of Warwickshire* — (London, 1656), p. 56 — that Malory served in Beauchamp's retinue "at the siege of Calais," in the reign of Henry V. E. K. Chambers has pointed out that there was no siege of Calais in Henry V's reign (see *English Literature at the Close of the Middle Ages* [New York, 1945], p. 200). He has made two suggestions: either that Dugdale wrote about another siege (at Harfleur in 1415 or Rouen in 1418) or that he wrote "K. H. 5' for 'K. H. 6,' and there was in fact a siege of Calais in 1436, at which Beauchamp was present" (p. 200). Vinaver disputed Chambers' second possibility, arguing that Beauchamp arrived after the siege in 1437. He made a third suggestion: "The error in Dugdale's statement may be the reference to the siege. A roll in the Cotton collection (C. P. R. xvii, 1437-45, p. 324) states that a Thomas Malory was in Beauchamp's retinue when Beauchamp went to Calais in 1414 ..." (*Works*, p. xxii, footnote no. 1). In this instance we are forced to decide the kind of error Dugdale was more likely to have made, a difficult choice. Chambers' first suggestion and Vinaver's theory seem equally possible, and neither contradicts the arguments in this paper.

²⁶ Quoted by Hicks in *Sir Thomas Malory*, p. 14.

²⁷ Sidney Painter, *French Chivalry* (Baltimore, 1940), p. 61.

those ideals was used to describe warriors throughout the 15th century. Henry was frequently compared to King Arthur, and Beauchamp's son-in-law, Warwick the Kingmaker (under whom Malory may have served), was praised for his chivalry even in the fastidious court of Philip of Burgundy and renowned as "as famous a knight as was living" throughout England. His battle tactics, however, seem to contradict those of the romances. He urged his soldiers to kill the opposing noblemen and spare the commons, and he avoided too-close involvement in hand-to-hand combat; as Kendall generously remarks, "He preferred the opportunity of fighting again to knightly derring-do."²⁸

Malory learned chivalry in these practices and from these leaders, but he did not perceive any discontinuity between what he saw and what he read. The actions he witnessed were like the romances he used as sources, since chivalry, in its death throes, became again like its antique antecedents. Chivalry had begun as an attempt to impose order and stability on a warring culture. At its height it claimed an elaborate and idealistic system of values, but as Painter remarks: "While it was undoubtedly possible to practice prowess without committing rapine, few knights could be expected to do so."²⁹ Throughout the history of chivalry knights continued to act in much the same way as their predecessors, but they justified themselves by appealing to a variety of ideals — the church, personal glory, love, or the state. Actions that would earn a knight the title of thief in the 11th century would make him glorious in the 13th and a national hero in the next century. While knights of the 15th century have been condemned by modern historians, they did not recognize themselves as contemptible. Gervase Mathew has cautioned against too-ready condemnation of 15th century feudalism: "It was a contract for mutual profit ... but though it lacked the stability of feudal vassalage, it could on occasion be surcharged with other and older forms of loyalty ... derived ultimately from the epics and the link between the war band and its chief"³⁰

²⁸ Paul Murray Kendall, *Warwick the Kingmaker* (London, 1957), p. 110. Kendall's discussion of Warwick's reputation in chapter two, "The Captain of Calais (1456-1461)", is extremely helpful in understanding 15th-century chivalry.

²⁹ *French Chivalry*, p. 157. Richard Barber, in his more recent study of knighthood, *The Knight and Chivalry* (London, 1970), differs in his interpretation of chivalric ideals. Painter contends that chivalry was a violent, rapacious system throughout its history. Barber, while noting the ruthless beginning of knighthood, believes that the system did achieve some of its ideals. Not until the close of the 14th century, he argues, did "the old instincts for plunder and rapine reappear among the knights" (p. 23). Whichever the historical case, Malory knew only a pernicious value system.

³⁰ Gervase Mathew, *The Court of Richard II* (New York, 1969), pp. 143-144. G. A. Holmes, in a recent study of late medieval feudalism (*The Estates of the Higher Nobility in Fourteenth-Century England*

Bastard feudalism thus resembled nothing so much as the chivalric order 300 years dead. Malory wished to honor and establish such a system. When he sought to portray chivalry as he idealized it, he turned naturally enough to the Arthurian battles and particularly to this poem of ruthless, unremitting war. Moreover, he sought to emphasize the parallels between the fictional king, Arthur, and his ideal, historical king, Henry V. This view, first suggested by Vinaver, has been severely criticized,³¹ but it is supported by numerous allusions. It would seem highly unlikely that Malory would ignore similarities between reality and fiction; in fact, he emphasized these similarities.

The invasion of France occurred after three visits by French ambassadors, with envoys from Burgundy as well. But in those visits Malory must have found echoes of the single appearance of the Roman ambassadors. The French came first in December, and though they sought military aid (not tribute), they were no less surprised than the Romans when Henry demanded the French crown instead. Malory made several specific additions to enforce Arthur's goal and make clear the parallels to Henry's career. In his first council meeting he announces:

For this much have I founde in the cronycles of this londe, that sir Belyne and sir Bryne, of my bloode elders that borne were in Bretayne, and they hath occupyed the empyreship eyght score wyntyrs; and aftir Constantyne, oure kynnesman, conquered hit, and dame Elyneys son, of Ingelonde, was Emperour of Roome; and he recoverde the Crosse that Cryste dyed uppon. And thus was the Empyre kepte be my kynde elders, and thus have we evydence inowghe to the empyre of holé Rome.

(p. 188, 5-14)

[Cambridge, 1957]), has attempted to fairly determine how "evil" bastard feudalism was. He presents an excellent history of the system, and indicates that livery and maintenance appeared in response to a series of weak kings rather than from a desire for disorder on the part of the great lords. It was soundly established by Henry V's rule. Holmes insists that the use of cash rewards became popular out of convenience and financial need, and does not in itself represent a corruption of the feudal bond. See Chapter III, "Retinue and Indenture," pp. 58-84.

³¹ Arthur B. Ferguson, in *The Indian Summer of English Chivalry: Studies in the Decline and Transformation of Chivalric Idealism* (Durham, N. C., 1960) was particularly severe in his criticism: "Malory was too good an artist, and at the same time too little of a political pamphleteer, to indulge in systematic political allegory. His work is not a *roman à clé*. But, like many another Englishman of his day, he was given to looking back to the reign of Henry V as a time when English fortunes prospered under a truly knightly king" (*Indian Summer*, p. 44). His arguments would make Spenser a bad author and a good pamphleteer. Malory did more than look back—he sought to frame specific, recognizable parallels. Helen Wroten also raised numerous objections to Vinaver's theory in her unpublished dissertation "Malory's *Tale of King Arthur and the Emperor Lucius* Compared with Its Source, the Alliterative *Morte Arthure*" (University of Illinois, 1950).

Even the technicality of his claim, if not entirely relevant to Henry's claim to France, does suggest the complex evidence that Henry found in his chronicles. And though the actions took place at different visits by the French ambassadors, like the envoys in the tale they were lavishly feasted, subjected to a fit of Henry's temper, and forced to flee the country in haste.³²

When the ambassadors leave, Arthur announces that he now has only one goal, the return of his rightful title. And though Lucius' scornful attitude towards Arthur arises in *Morte Arthure*, the sentiments Malory repeated echo the Dauphin — only the tennis balls are absent.³³

Vinaver has pointed out how Malory altered the path of Arthur's march through France to coincide with Henry's attack.³⁴ Numerous other parallels were also added to *Arthur and Lucius*, or passages in *Morte Arthure* that contained parallels were given new emphasis. When Arthur hears of Lucius' encroachment on France he sends Gawayne with a personal challenge and a plea for the victims:

Sey I bydde hym in haste to remeve oute of my londys. And yf he woll nat, so bydde hym dresse his batayle and lette us redresse oure ryghtes with oure handis, and that is more worshyppe than thus to overryde maysterlesse men.

(p. 206, 11-14)

The challenge to settle the quarrel by single combat is Malory's addition.

³² These events are described by Charles L. Kingsford in *Henry V* (London, 1901), pp. 115-122, and more briefly by E. F. Jacob, *Henry V and the Invasion of France* (New York, 1950), pp. 71-74.

³³ In the poem Lucius says:

Thow sulde his ceptre haue sesede & syttyn aboun,
Fore reuerence and realtee of Rome þe noble!
By sertes þow was my sandes & senatour of Rome,
He sulde for solempnitee have seruede þe hym seluen!

(511-514)

Malory reproduces this almost exactly:

I wente that Arthure wold have obeyed you and served you [hymself] unto your honde, for so he besemed, other any kynge crystynde, for to obey any senatour that is sente fro my persone.

(p. 191, 24-27)

³⁴ See *Works*, p. 1396 (note to p. 227, 4-5). Wroten raised geographical objections to Vinaver's parallels, arguing that "the route of Henry V is really not a triangle at all" (p. 59). This debate seems insoluble, since Vinaver has claimed that Malory's route "at once calls to mind the itinerary followed by Henry V on his way from Fécamp to Agincourt" (*Works*, p. 1396), while Miss Wroten has argued that it would not. It is extremely difficult to decide what would or would not be "called to mind" by Malory and his imperfectly informed reader.

After capturing Harfleur, Henry sent such a message to the Dauphin.³⁵

Malory also portrayed Arthur as an especially ruthless king, particularly in his final attack on the Romans:

For evir kynge Arthure rode in the thyckeste of the pres and raumped
downe lyke a lyon many senatours noble

(p. 224, 17-18)

Henry, when threatened by an attack from the French rearguard at Agincourt, ordered all the prisoners slain. Shakespeare describes the popular version of these murders:

Besides, we'll cut the throats of those we have,
And not a man of them that we shall take
Shall taste our mercy. Go and tell them so.³⁶

Before his return to France, Henry fixed the temporary rule on his uncle Henry Beaufort — the Chancellor — and the Duke of Bedford —

³⁵ See Kingsford, p. 135. Jacob translates part of the message as follows: "For it is better for us, cousin, to decide this war for ever between our two persons than to suffer the unbelievers by means of our quarrels to destroy Christianity ... and the people of God to destroy one another" (p. 92). Shakespeare's version of the speech, though omitting the personal challenge, emphasizes Henry's concern with the suffering of the populace:

And bids you, in the bowels of the Lord,
Deliver up the crown, and to take mercy
On the poor souls for whom this hungry war
Opens his vasty jaws; and on your head
Turning the widows' fears, the orphans' cries
The dead men's blood, the pining maidens groans,
For husbands, fathers and betrothed lovers,
That shall be swallow'd in this controversy.

(*Henry V*, II, iv)

³⁶ *Henry V*, II, vii. Modern historians believe Henry was not so coldblooded as the lines indicate. Unable to keep the prisoners and hold off another attack he chose to sacrifice the prisoners. See Jacob, p. 105. Kingsford included Hoccleve's account of Henry's rather unique religious sensibilities in his history (pp. 67-68). A poor tailor named Bodly had been condemned to be burned as a heretic. Henry, while still prince, intervened after the faggots had been burning for a short time. He brought the suffering man from the flames and offered great rewards if he would recant. When the man refused, Henry had the fires rekindled. Such sentiments are echoed in *Arthur and Lucius* when Arthur tells Cador:

Therefore save none for golde nothir for sylver; for they that woll accompany them with
Sarazens, the man that wolde save them were lytill to prayse. And therefore sle doune and
save nother hethyn nothir Crystyn.

(p. 224, 1-4)

Wroten assumed that in the portrayal of Arthur's cruelty, "Malory must be taking this opportunity to criticize some of [Henry V's] actions" (p. 61). Such criticism only emerges if we assume Malory disliked the Arthur he portrayed, and the evidence indicates a contrary view.

Regent of his infant son. Malory made a similar division of authority between Sir Constantyne and Sir Baudwyn.³⁷ Many of these parallels existed between Henry's actions and the poem independent of Malory's efforts. That he emphasized the similarities indicates Malory's affection for such a ruler.

These parallels emphasize Malory's literary intentions. He was not attracted to the Arthurian matter by the courtly ideals of the French sources but by the heroic qualities of the alliterative *Morte Arthure*. These qualities, as both Vinaver and P. E. Tucker have noted, are inimical to virtues traditionally deemed chivalric. The actions of this tale reject the doctrine, expressed in his French sources, that skill in battle is a sign for excellence in matters of love. The reverse, in fact, is true. As Richard Barber points out: "The lady is no longer the inspiration of the knight, fount of all his prowess; instead knighthood itself urges him on."³⁸ Strength and skill in battle are good in themselves. "Chivalry," for Malory, refers to virtues such as prowess and worship; love is not even mentioned in *Arthur and Lucius*.

This ethic does develop in Malory's works, as Tucker and Vinaver believe, and the actions become less violent in the final tales. But even in the *Grail Quest* the scale of values implicitly depends on martial abilities. C. S. Lewis has proposed that "Malory has a three-storied mind — a scale of bad-good-best (Mark, Launcelot, Galahad) which, if read backwards, becomes, of course, good-bad-worst. It will be seen that the middle term may appear sometimes as good and sometimes as bad without inconsistency."³⁹ The Cistercian authors of the *Graal* had attempted to deny validity to secular achievements, and exalted the Grail hero above even Launcelot. But Malory saw a basis for comparison between the divine and secular heroes, indicating (as Lewis notes) that only one scale of values applies. The standard by which one

37 See Vinaver's discussion in *Works*, p. xxxi; see also p. 1367. Wroten has objected to this theory, arguing that the arrangements were far more complex than Vinaver has described. "... Instead of two 'chieftains,' Henry V appointed a lieutenant and a council of nine to assist the chancellor. The similarities between Malory's tale and the actual happenings of Henry V's reign are, at best ... tenuous" (p. 58). But when these arrangements were made Malory was not a party to them. The division mentioned by Vinaver had the support of tradition, if not fact, and Malory might safely allude to it.

38 *The Knight and Chivalry*, p. 317. By way of contrast, as P. E. Tucker points out ("Chivalry in the *Morte*," in *Essays on Malory*, pp. 64-103), the French authors of romances believed that "prowess and all the virtues of knighthood are inspired by love, and the service of love is their highest motive" (p. 69).

39 C. S. Lewis, review of E. K. Chambers' *Sir Thomas Wyatt and Some Collected Studies*, *MAE*, III (1934), 239.

knight is to be judged is equally valid for another knight. Launcelot may not be as good a knight as Galahad, but if Galahad is "best," he is so because he accomplished an adventure at which Launcelot failed; his spirituality is not the absolute standard but only an additional attribute. Vinaver has shown how Malory omits numerous references to Galahad's celestial qualities and substitutes for them secular virtues.⁴⁰ For Malory, in a sense, spiritual virtues are to be read as signs of martial virtues. As Tucker expresses this point, "The general implication ... is that 'good chivalry' as Malory understands it is acceptable to God"⁴¹ In the final tale, when Launcelot insists that he can prove Guenevere's innocence by trial-at-arms, he once more asserts the principle — first enunciated in *Arthur and Lucius* when Arthur challenges Lucius to a personal combat for the crown of Rome — that might and right are one. Prowess remains the attribute that defines a knight's excellence.

IV

The solution I have offered above may seem to substitute one problem for another. If there is no discontinuity between Malory and the ethic of his works, how then have so many readers been led astray? Caxton's "key" for reading — follow the good and avoid the evil — has been influential. But it would not have worked if his readers had not been willing to use it, and to interpret many passages metaphorically. Their willingness to so interpret the language of chivalry reveals how Malory's works have been used for ends their author never imagined.

Shakespeare's history plays are only part of the popular tradition that has led modern readers to associate the 15th century with random, thoughtless violence. A standard history of England characterizes the national temper thusly: "In whole districts people went in fear of their lives and property. Robberies, abductions, murders, and oppressions of all kinds were practiced with impunity."⁴² Such conditions would har-

⁴⁰ See the introduction to *Works*, pp. xc-xciii and the commentary on *The Quest of the Holy Grail*, esp. 1524-1537.

⁴¹ "Chivalry in the *Morte*," p. 86.

⁴² W. E. Lunt, *History of England*, 4th ed. (New York, 1956), p. 264. Contemporary reports lend credence to such judgments. The Duke of Norfolk's pronouncement of 1455 sounds as though the country were torn by crime: "The cause of our coming into this country is ... for to inquire of such great riots, extortions, horrible wrongs, and hurts, as his highness is credibly informed be done in this country ..." (in a letter to John Paston [Letter 87], *The Paston Letters*, Vol. I, ed. John Fenn [London, 1840], p. 67).

dly be conducive to social progress, and many writers pass over the 15th century, leaving the reader to draw his own conclusions from the Paston Letters. But while the age was superficially one of chaos and disorder, an examination of the lives of most Englishmen during the period would not reflect this chaos. Many innocent people suffered, certainly, but even in the worst of times the conditions for the powerless never approached the wanton cruelty and destruction inflicted by the *Ecorcheurs* in France thirty years earlier.

The vacuum of power created by the Wars of the Roses encouraged the rise of economic classes that had been without power. The Black Death was a mortal threat, but an economic boon to the working class blessed with a depleted labor force, a growing job market, and attendant higher wages. The middle class was beginning to define itself and to assert economic and political perquisites. Even members of the nobility who managed to keep out of the wars prospered.⁴³ Edward IV came to the throne through the exertions of his nobles, but he did not depend on them to keep power. His modern biographer, Eric N. Simons, has argued that the king turned to the newly-risen middle class:

[Edward] turned for support not to the feudal barons, with their wasteful and vicious rivalries, irritable and greedy cliques, dreams of glory and wealth, and refusal to subordinate themselves to the common good, but to the thriving mercantile and middle classes, steadily increasing in numbers and influence.⁴⁴

The wealth and status of the middle class were founded not on land, but on trade. Commercial interests became increasingly more significant and courts less sympathetic to activities—chivalric or not—that abridged trade. Stability and order increasingly became national goals, and popular authors commended such values. The expression of these values, however, took a remarkable form. Just as the upper class had bastardized chivalry to its own ends, the middle class introduced its own variation. The literate bourgeoisie, fascinated by the forms of chivalry, remade the ideal to fit their own needs for status and

43 While these generalizations are admittedly broad, they are endorsed by many excellent historians, among them Paul Murray Kendall in *Warwick the Kingmaker* and *The Yorkist Age*; by J. R. Lander in *The Wars of the Roses* (New York, 1966); by Eric N. Simons in *The Reign of Edward IV* (London, 1966); and by Percival Hunt in *Fifteenth Century England* (Pittsburgh, 1962).

44 *The Reign of Edward IV*, pp. 140-141. While Simons' underlying sympathies with the middle class may incline him to emphasize the viciousness of the upper class, Edward's career bears out this generalization. Kendall also points out the importance of "the townsmen and yeoman gentry on whom Edward IV and his successors grounded their powerful rule" (*The Yorkist Age*, p. 35).

stability. Chaucer revealed such a need a century before the publication of *Le Morte Darthur* in the Franklin's tale and his own poem, "Gentillesse." Caxton, a successful merchant before he became a printer, chose more texts than *Le Morte Darthur* to emphasize that chivalric virtues are demonstrated in action, not status. For Caxton, noble actions are those conducive to a stable society. His often-quoted Epilogue to *The Book of the Ordre of Chyualry* condemns contemporary knighthood:

O ye knyghtes of Englonde where is the custome and vsage of noble chyualry that was vsed in tho dayes. What do ye now but go to the baynes & playe att dyes?⁴⁵

His complaint seems motivated not so much by love of knightly deeds as by his middle-class hostility towards a life of leisure. And he does not suggest, as a solution, that armed knights begin to ride across enclosed fields or that contests at arms supplant trial by jury. Instead, he sees chivalric virtues as metaphors for an orderly, disciplined code of conduct: Those who wish to be knightly should read romances, care for their horses, and joust (for large prizes) in carefully supervised tournaments.

The imposition of middle-class values on the language of chivalry was completed by Stephen Hawes in *The Pastime of Pleasure*. This purely allegorical work was intended to educate a middle-class audience in middle-class virtues given chivalric names. Never do the chivalric acts stand for themselves but for some other, more bourgeois attribute. After Grand Amour has won La Bell Pucell (and married her), he undertakes a profitable business. At the close of the chivalric era, the middle-class preserves the terms of the past, but the qualities behind those terms are those of the new man. Fealty is not loyalty to a man but to one's word, of ten pledged in business. *Largesse* is charity, not openhanded but self-conscious, perhaps best represented by the wills of wealthy merchants leaving money to prisoners. Wisdom has become shrewdness. And prowess, the most significant virtue for a knight — plainly defined by Painter as "the ability to beat the other man in battle"⁴⁶ — has become an artificial skill (no longer a virtue) demonstrated in artificial contests without real consequence.

Since Caxton and Malory use the same words, many critics have assumed that their goals are similar. Arthur B. Ferguson, for example,

⁴⁵ *The Book of the Ordre of Chyualry*, ed. Alfred T. P. Byles, EETS no. 168 (London, 1926), p. 122.

⁴⁶ *French Chivalry*, p. 29.

believed that "Malory shared with Caxton a desire to make the traditions of chivalry serve a didactic purpose and one rather closely related to the fortunes of England."⁴⁷ While both author and editor had didactic purposes, their ideals are quite different. Caxton was part of the rising middle class, and chivalry for him was a metaphor for a disciplined system under which trade might thrive. He thus directs the reader to imitate those actions in the tales conducive to order. Additionally, he makes numerous editorial changes in the *Tale of Arthur and Lucius*, that alter the portrait of Arthur presented in the Winchester MS.

The standards of propriety Caxton demands would certainly have condemned Malory's career—but Launcelot or Gawain would have been equally disruptive. It was an age with less need for knightly heroics, an age, in Ferguson's words, "when the old feudal relationships were everywhere being modified by the exigencies and opportunities of a money economy, when status was on all sides giving way to contract"⁴⁸ Malory must certainly have found England's kings disappointing at so critical a point in history. After Henry V's death, the country was ruled by politicians who surrounded the child king. When the child's mind failed to mature and the contest for mastery heightened, a man who remembered Henry V would have been gravely disturbed. In prison Malory may have been briefly relieved by the coronation of the new king. But though Edward IV was an impressive king in appearance, he was disappointing in action.⁴⁹ Rather than resist the rising middle class, he turned to it for support. He married a widow of the lower nobility with two children; he entered trade to pay his bills; he managed the castle expenses like a pecunious tavern keeper, and his *Black Book* remains a standard of royal efficiency; and he sought popular support among the cities, excluding the barons from his advisors. His conduct was not merely unchivalric by the old standards, it was anti-chivalric; he would have failed two of René d'Anjou's three causes for exclusion from a tournament.⁵⁰

47 Arthur B. Ferguson, *The Indian Summer of English Chivalry*, p. 43. Jan Simko, on the other hand, sees Malory as an unreconstructed feudalist, looking back fondly on the good old days, and supposes that Caxton shared these sentiments ("Malory and Caxton", *Casopis pro Moderná Filologii*, XXXV [1953], 213-219 [English summary, 254-255]).

48 *The Indian Summer of English Chivalry*, p. 11.

49 "Disappointing" for a conservative such as Malory, that is. Simons praises Edward's affection for "the yeoman farmer class, whose sterling qualities were to benefit the country for many generations" (*The Reign of Edward IV*, p. 17). Malory would doubtlessly have disagreed.

50 In *Le Livre des Tournois* (c. 1450), René D'Anjou lists three absolute grounds for exclusion from a tournament: perjury, usury, and marrying beneath one's station (*Œuvres complètes du Roi René*,

Edward's endorsement of the middle class was a stroke of political genius. At this point chivalry was only a form, not a viable institution—even "bastard feudalism" was dying. Yet, in the form, Malory glimpsed a system that would honor his life and condemn the pettiness he saw around him. He respected knightly virtues, but not those of the effete form of chivalry already popular in France and England. His tales portray none of the contemporary chivalric practices, and in most respects, run counter to them. Such tournaments as he describes are those of the 12th or 13th century, not the 15th century. As Vinaver notes in his early study: "It was 'manhode, curtesye and gentylnesse' that he desired to restore to the world, not the pompous ceremonies of medieval festivals."⁵¹

A modern reader understands that words like "democracy" or "justice" have no absolute definition; their meanings depend on who is using the word and his political identity. This uncertainty of interpretation is characteristic of the language of chivalry in the 15th century. Both Malory and Caxton sought to justify their own values with the language of the past. We must not confuse their words with their ideas, however. The similarity of their language does not reflect similar ideals.

V

In this attempt to resolve certain critical problems, Malory's reputation may have suffered an unintentional slight. The retainer system has so long been an object of historians' scorn that we may not be able to respond sympathetically to its defense. Why would Malory praise so violent a scheme of values? What kind of man would serve in a "bastard" feudal order?

Such doubts have encouraged many critics to deny that Malory would have praised the social system that he had seen in existence. H. S. Bennett, for example, argues that Malory was an escapist:

By the fifteenth century whatever had existed of the chivalric life mirrored in the *Morte Darthur* had long since passed away. The age of Malory was no fruitful soil in which to replant the ideal of chivalry; his own experiences in the Wars of the Roses must have taught him that. Oc-

tome II, ed. Le Comte de Quatrebarbes [Angers, 1844], p. 22; see Barber, p. 32 also). Edward IV would fail the second and third tests.

⁵¹ E. Vinaver, *Malory*, pp. 59-60.

casionaly he exclaims against the times, but for the most part he retires into a world of long ago.⁵²

Such criticisms, however, attribute incredible foresight to Malory. He could not have known that his ethic was steadily dying, and that the values he fought against were gaining increasing credence. Modern critics can gain a better perspective on the past than can contemporaries. It is presumptuous to argue that Malory's feudalism was evil (or bastardized) — as G. A. Holmes noted, "Bastard feudalism' is in fact a misnomer which has no justification except a vague prejudice against the later Middle Ages. The one form of relationship [cash] was no more base than the other [land]."⁵³ It is even more presumptuous to assume that the values that supplanted bastard feudalism are, *a priori*, good. One reason those values have been so defined is that they are the values held by many people today, and particularly endorsed by intellectuals. Thus, in his attacks on the growing bourgeois values of the 15th century, Malory assaults our own values. Perhaps Muriel Bradbrook best summarized the gap between Malory's ethic and our own when she pointed out that it was from the order of bastard feudalism, "the remnants of an earlier society, from which Malory sprang, and which is idealized in the Table Round. Malory belonged to that older order of chivalry which finally went down on Bosworth Field in 1485 ..."⁵⁴

Malory could not have known his feudalism was bastardized, and he must have assumed that his life was like that of Arthur's knights. He saw his life in sharp contrast to contemporary England, a land given over increasingly to business interests, ruled by the infantile Henry VI for nearly 40 years, then by the business-minded Edward IV who would later choose a merchant's wife as his mistress. Malory sought to praise the feudal system under which he lived, and to re-establish an order he saw disintegrating: He did not look backwards to memorialize a fictional past. Rather, he sought to reassert values he still felt appropriate

⁵² H. S. Bennett, *Chaucer and the Fifteenth Century* (New York, 1947), p. 200. E. K. Chambers also applied the judgment of a later historian to what Malory should have known: "But of the England of the fifteenth century exhausted by generations of foreign enterprise and dynastic quarrels, of England as we find it depicted in the Paston Letters, of the complete breakdown of law and order, of the abuses of maintenance and livery and private warfare, of the corruption of officials, of the excessive taxation, of the ruin of the countrysides by the enclosure of agricultural land for pasture — of all this we find no consciousness whatever in Malory's pages. A revival of the spirit of chivalry might have done something to help matters, but a strong hand in the central government would have done more" (*English Literature at the Close of the Middle Ages*, p. 197).

⁵³ *Estates of the Higher Nobility*, p. 83.

⁵⁴ *Sir Thomas Malory*, p. 74.

to feudalism as he knew it. He saw a direct relation between the deeds of Arthur's heroes and the actions carried out by himself and other 15th-century knights-errant. He sought to arrest the drift away from feudalism, feudalism as he had lived it.

Such an understanding permits readers to come to terms with the problems raised by the author's life. Malory's personal values are so alien to our own that we must listen to his voice with a sensibility that few other writers demand. But we must not assume, as many critics have, that Malory could have had no ethical inspiration. Helen Wroten, for example, has objected that Malory's goal could not have been one of reform, since "in the face of the facts which have been discovered concerning his life, and the situation in which he found himself, surely he would not have felt himself qualified to teach a lesson in good living to the nation."⁵⁵ In fact, he felt himself uniquely suited to assume the role of teacher. He saw his nation moving steadily away from the values prized by his source — away from a morality of strength, from the virtue of war, from the need for fealty to a man. Increasingly, Englishmen asserted inimical values — the morality of law (and lawyers), the virtues of peace (and complacency), the fealty to "cash payment." It is such a chivalry that Caxton and Hawes praise, but before it became generally established Malory fiercely questioned it and attempted to live by the values of the past. His doubts, expressed before the fact, sound strangely like those of Thomas Carlyle, stated long after the middle class had inextricably risen.

C. S. Lewis advanced an early objection to a reading such as I have presented. He lamented that modern readers would miss the sensitive virtues of the *Morte Darthur*. For Lewis, the book expressed:

The civilization of the heart (by no means of the head), a fineness and sensitivity, a voluntary rejection of all the uglier and more vulgar impulses. We can describe it only in words derived from its own age, words which will now perhaps be mocked, such as *courtesy*, *gentleness*, *chivalry*. It makes the *Morte* a "noble" as well as a "joyous" history. I at any rate will never blacken the book to make it match the man.⁵⁶

But has the book been blackened? My intent has not been to damn the book but to suggest that values other than those of the present have existed and have been praised, that words like *courtesy* and *chivalry* have had different referents in their histories. This is a "civilized" book, but

⁵⁵ "Malory's *Tale of King Arthur and the Emperor Lucius* Compared to its Source," p. 21.

⁵⁶ "The English Prose *Morte*," p. 9.

the civilization it celebrates is not our own. We must not force Malory's art to fit the mold of our social expectations, nor may we condemn him for failing to match our contemporary ethical standards. We must acknowledge him as an authentic and immensely successful spokesman for a discredited social standard.

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THE GRAIL IN WOLFRAM'S *PARZIVAL*¹

A. D. Horgan

THE fundamental difficulty about the Grail, as it is described to us by Wolfram von Eschenbach, is that whilst in certain particulars it strongly recalls the blessed Sacrament, in others this identification seems to be ruled out as a possibility.

It is a stone,² called not only *der grâl* but also *lapsit exillîs*³ (469,7), large enough for a legible inscription to be seen on it (470,23 ff.). Of its earlier history, we learn that

die newederhalp gestuonden,
dô strîten begunden
Lucifer unt Trinitas,
swaz der selben engel was,
die edelen unt die werden
muosen ûf die erden
zuo dem selben steine.
der stein ist immer reine.

Those who took neither side when Lucifer and the Trinity fought⁴ — these angels, noble and worthy, were compelled to descend to earth, to this same stone. Yet the stone is always pure ...

.....
des steines pfligt iemer sider
die got derzuo benande
unt in sîn engel sande.

Since then the stone has always been in the care of those God called to the task and to whom He sent His angel.⁵

(*Parzival* 471, 15-22; 26-28).

The *ritterlichen bruoderschaft* (470,19) — also referred to as *templeise* (468,28) — who defend the Grail specifically atone by this means for any sins they have committed (468,28-30). The whole Grail company is especially graced by God (471,10-14). No mention is made of Mass being celebrated at Munsalvæsche, but Parzival and Condwiramurs attend

¹ WOLFRAM VON ESCHENBACH ed. K. Lachmann, 7th edn. revised by E. Hartl (Berlin, 1952).

² For a discussion, see *An Introduction to Wolfram's Parzival* by H. Sacker (Cambridge 1963), especially Chapter VII.

³ Varr. *lapsit* GDg, *iaspis* gg, *lapis d exillis* Dg, *erillis* G, *exilis* g, *exillix* g, *exilix* dg. It seems to me likely that the original read *lapis exilis* 'small stone'. See below, *passim*.

⁴ A tradition found also in Dante, *Inferno* Canto III 37-42, and in the *South English Legendary* (E. E. T. S. No. 236) Vol. II pp. 408-410. Cf. C. S. Lewis, *The Discarded Image* (Cambridge 1964).

⁵ Translation from the version of *Parzival* by H. M. Mustard and C. E. Passage. Vintage Books (New York 1961).

Mass within Terre de Salvæsche on the morning of their final reunion (802,22 ff.). Priests must then be present. But the character of the Grail community at large is lay, not clerical.

The Grail has specific powers to dispense substantial physical nourishment, and these powers are said to derive from a small, white wafer, brought each year on Good Friday by a shining white dove, winging down from Heaven. Having left the wafer on the stone, the dove returns to Heaven (469,28-470,20). The Grail is described as the *wunsch von pardis* (235,21), and the food it provides for the Grail community is also likened to the *wunsch von paradise* (470,14). Its delights are very like what we are told of the kingdom of Heaven (238,21-4). Even the sinful Parzival on his first visit, and the pagan Feirefiz before he is baptised, are fed by it.

God's power can be conveyed through the Grail. In some sense it mediates between the community and God. When they kneel in prayer, they turn towards it as towards the Blessed Sacrament of the altar (483,19). God's answer to this prayer may, it seems, be inscribed on the Grail (483,20-484,8).

Other things said of it are that it provides water for the font, when a baptism takes place in the Grail temple (817,4-7): that it keeps alive for a week anyone who gazes on it, and all who gaze on it regularly retain for ever the beauty of their early youth (469, 14-27): that the phoenix derives its peculiar properties from it (469, 8-13): and that it gives strength to its servants in battle (737, 25-30). The Grail king is blessed above all other knights; he shall have his uttermost wish on earth (254, 18-30).

II

It appears to me that at least some difficulty about interpretation is removed if reference is made to a number of passages in the Bible and Jewish and Christian tradition. "Rock" or "Stone" is a familiar title of God in the Old Testament: thus, for example, *Deuteronomy* 32 *passim*, *Psalms* 18 (17). 2, *Isaiah* 17.10, 26.4, 44.8. God is thought of as the bulwark of His people, firm and hard as a rock, unscalable and unassailable. But there are certain special Old Testament uses of the stone image which are caught up and developed in the apostolic writings. Thus *Isaiah* 8.14, 28.16 and *Psalms* 118 (117).22 are combined in St. Paul *Romans* 9.30-33 to give the idea that Christ is both the stumbling-block and the rejected stone which became the head of the corner. The same identification is made in 1 *Peter* 2.4-8, which further elaborates the idea, by declaring

the faithful to be living stones making up a spiritual house, just as Christ Himself is a living stone. These particular identifications with Old Testament prototypes were not original to St. Peter and St. Paul. They are echoing the words of Christ Himself: see here *Luke* 20.17-18, *Matthew* 21.42-44. (Also in this connection see 2 *Timothy* 2.19, *Ephesians* 2.20-22, 1 *Corinthians* 3.11, *Acts* 4.11).

From the point of view of the present study, the most significant identification is that made by Our Lord, when in the great Eucharistic discourse in Chapter 6 of St. John's Gospel, He shows the gift of Himself in Holy Communion to have been prefigured in the Old Testament by the feeding of the children of Israel in the wilderness. This theme is repeated in Chapter 7 in His promise of living water, which He made on the last day of the Jewish feast of Tabernacles. The liturgy of the feast of Tabernacles, against the background of which these words were uttered, included prayers for rain, rites which commemorated the Mosaic water-miracle (see *Exodus* 17.1-7 and cp. *Numbers* 20.6-13), and readings from biblical passages foretelling lifegiving water for Zion (*Zechariah* 14.8, *Ezekiel* 47.1 ff.).⁶ The significance of Christ's words is brought out with great explicitness by St. Paul in his First Epistle to the Corinthians 10.1-13:

I want to remind you, brothers, how our fathers were all guided by a cloud above them and how they all passed through the sea. They were all baptized into Moses in this cloud and in this sea; all ate the same spiritual food and all drank the same spiritual drink, since they all drank from the spiritual rock that followed them as they went,⁷ and that rock was Christ. In spite of this, most of them failed to please God and their corpses littered the desert.

These things all happened as warnings for us, not to have the wicked lusts for forbidden things that they had. Do not become idolaters as some of them did, for scripture says: *After sitting down to eat and drink, the people got up to amuse themselves.* We must never fall into sexual immorality: some of them did and twenty-three thousand met their downfall in one day. We are not to put the Lord to the test: some of them did, and they were killed

⁶ With this compare Christ's discourse with the Samaritan woman in St. John's Gospel 4.1 ff. The Tabernacles liturgy also included Psalm 118 (117), in the twenty-second verse of which, as noted above, mention is made of the rejected stone which became the head of the corner.

⁷ St. Paul seems here to be referring to a story, current in early times among the Jews, according to which the rock from which Moses, at God's command, made water come forth, accompanied the Israelites across the desert. The tradition is also found in the *Targum* of Onkelos on *Numbers* 21.16 ff., and in Philo's *Biblical Antiquities* X.7.

by snakes. You must never complain: some of them did, and they were killed by the Destroyer.

All this happened to them as a warning, and it was written down to be a lesson for us who are living at the end of the age. The man who thinks he is safe must be careful that he does not fall. The trials that you have had to bear are no more than people normally have. You can trust God not to let you be tried beyond your strength, and with any trial he will give you a way out of it and the strength to bear it."

It is significant from the point of view of the present study that St. Paul's identification of Christ with the rock of Moses' water-miracle (see *Numbers* 20.6-13) should be set at the beginning of a hortatory passage which looks back to the rebellious misbehaviour of the Israelites in the desert. One incident in particular, referred to in verse 8, needs to be looked at in its original context, *Numbers* 25.1-15.

Israel settled at Shittim. The people gave themselves over to debauchery with the daughters of Moab. These invited them to the sacrifices of their gods, and the people ate and bowed down before their gods. With Israel thus committed to the Baal of Peor, the anger of Yahweh blazed out against them.

Yahweh said to Moses, "Take all the leaders of the people. Impale them for Yahweh, here in the sun; then the burning anger of Yahweh will turn away from Israel." Moses said to the judges in Israel, "Every one of you must put to death those of his people who have committed themselves to the Baal of Peor."

A man of the sons of Israel came along, bringing the Midianite woman into his family, under the very eyes of Moses and the whole community of the sons of Israel as they wept at the door of the Tent of Meeting. When he saw this, Phinehas the priest, son of Eleazar son of Aaron, stood up and left the assembly, seized a lance, followed the Israelite into the alcove, and there ran them both through, the Israelite and the woman, right through the groin. And the plague that had struck the sons of Israel was arrested. In the plague, twenty-four thousand of them had died ...

... The Israelite who was killed (he who had been killed with the Midianite woman) was called Zimri son of Salu, leader of one of the patriarchal Houses of Simeon. The woman, the Midianite who was killed, was called Cozbi, daughter of Zur, chief of a clan, of a patriarchal House in Midian.'

8 Biblical quotations throughout are taken from the *Jerusalem Bible* ed. A. Jones *et al.* Darton, Longman & Todd. London. 1966.

This is perhaps reminiscent of Trevrizent's account of Anfortas:

sîn jugent unt sîn rîcheit
der werlde an im vuogte leit,
unt daz er gerte minne
ûzerhalp der kiusche sinne.
Der site ist niht dem grâle reht ...

(*Parzival* 472, 27-473, 1).

Dô Frimutel den lîp verlôs,
mîn vater, nâch im man dô kôs
sînen eltsten sun ze kûnege dar,
ze vogte dem grâle unt des grâles
schar.
daz was mîn bruoder Anfortas,
der crône und rîcheit wirdec was.
dannoeh wir wêneec wâren.
dô mîn bruoder gein den jâren
kom vûr der gransprunge zît,
mit selher jugent hât minne ir strît:
sô twingt sî ir vriunt sô sêre,
man mag es ir jehen ze unêre.
swelh grâles hêrre aber minne gert
anders dan diu schrift in wert,
der muoz es komen ze arbeit
und in siufzebriu herzeleit.
mîn hêrre und der bruoder mîn
kôs im eine vriundîn,
des in dûht, mit guotem site.
swer diu was, daz sî dâ mite.
in ir dienst er sich zôch,
sô daz diu zageheit in vlôch.
des wart von sîner clâren hant
verdûrket manec schildes rant.
da bejagte an âventiure
der sûeze unt der gehiure,
wart ie hôher prîs erkant
über elliu rîtterlîchiu lant,
von dem mære was er der vrîe.
Amor was sîn crîe.
Der ruoft ist zer dêmuot
iedoch niht volledlîchen guot.
eins tages der kûnec al eine reit
(daz was gar den sînen leit)
ûz durch âventiure,
durch vrôude an minnen stiure:

His youth and power
brought grief to all around him,
and his desire for love beyond
all restraint and bounds.
Such ways are not fitting
for the Grail.

When Frimutel, my father, lost his
life, they chose his eldest son to
succeed him as king and lord of
the Grail and the Grail's company.
That was my brother Anfortas,
who was worthy of crown and power.
We were still small.

Then my brother reached the age
when his beard began to grow —
the time when Love wages battle with
youth. Here Love does not act quite
honourably, one must say, for she
presses her friend so hard. But if any
lord of the Grail craves a love other
than the writing on the Grail allows
him, he will suffer distress and
grievous misery. My lord and brother
chose for himself a lady, of virtue,
so he thought. Who she was does not
matter. In her service he fought
as one from whom cowardice has
fled.

Many a shield's rim was riddled
for her by his good hand. With
his adventures the sweet and valiant
man won such fame that never in
all the lands where chivalry held
sway could anyone question that
his was the greatest of all.

Amor was his battle-cry.

But that cry is not quite
appropriate for a spirit of humility.
One day the king rode out alone —
and sorely did his people rue it —
in search of adventure,
rejoicing in love's assistance. Love's

des. twanc in der minnen ger.
mit einem gelupten sper
wart er ze tjostieren wunt
(sô daz er nimmer mêr gesunt
wart, der sûeze œheim dîn),
durch die heidruose sîn.
(*Parzival* 478, 1-479, 12)

desire compelled him to do it.
With a poisoned spear he was wound-
ded so in the jousting, your sweet
uncle, that he never again was healed,
pierced through the
testicles.

The points of comparison are clear: in either case, an elect community, living in the wilderness,⁹ is sustained by a wonderful rock which provides for them abundantly. In either case, the rock 'mediates' between them and God. In either case, there is some connection with the Blessed Sacrament of the altar. In either case, again, an eminent person transgresses against the community's sexual ethic, and receives a hideous wound in the genitals which is obviously intended to reflect upon the nature of the transgression. There are important points of divergence too, of course, notably in the matter of the attitude of the two accounts towards the transgressors. But the agreement is sufficient for one to be able to believe that there is a case for regarding the Grail as identical with the wonderful stone which followed and fed the children of Israel in the wilderness, and was held by St. Paul to be the type of Christ.¹⁰ As the stone in *Parzival* is said to bear inscriptions, one wonders whether the person who worked out the Grail story did not also have in mind a couple of scriptural themes other than those already discussed. The mention of mandatory writings on stone must at least recall the Mosaic tables; and it seems to me highly likely, too, that a specific reference is being made to a passage in *Revelation* 2.14-17, the conclusion of the address to the church in Pergamum:¹¹

'Nevertheless, I have one or two complaints to make: some of you are followers of Balaam, who taught Balak to set a trap for the Israelites, so that they committed adultery by eating food that had been sacrificed to idols; and among you too there are some as bad who accept what the Nicolaitans teach. You must repent, or I shall soon come to you and attack these people with the sword out of my mouth. If anyone has ears to hear, let him listen to what the Spirit is saying to the churches: to those who prove victorious I will give the hidden manna and a white stone — a

⁹ *salvæsche* seems to be from *silvatica*, the source of *savage*.

¹⁰ It may be that further evidence is provided by the enigmatic English *Corpus Christi Carol*, found in the Balliol MS 354. See Appendix I.

¹¹ The possible bearing of this passage was suggested as long ago as 1909 by L. E. Iselin in *Der morgenländische Ursprung der Grallegende*.

stone with a new name written on it, known only to the man who receives it.¹²

Notice that the reference to the stone here is again accompanied by reference to the seduction of the Israelites referred to in *Numbers* 25.1 ff.,¹³ and also by a reference to the manna.

What is the significance of all this? It seems to me that the Grail story identifies some section of Christian knighthood with the children of Israel in the wilderness.¹⁴ The Rock which is Christ is with them, sustaining them, guiding them, mediating between them and the Father. But they are not to think on this account that their salvation is assured. If they defect from the life of election to which they have been called, and pursue merely erotic ends, they may expect to be punished, and to forfeit Divine favour.

But what does it mean to be a Grail-knight as distinct from being one of the Arthurian chivalry? Clearly, in *Parzival* at least, this latter is not regarded altogether unsympathetically. But just as clearly, a vocation to the Grail-knighthood is held to be higher, and for Anfortas to prefer a lower way of life is sinful. But this is not primarily the romance of Anfortas, but of Parzival; that is, of a man called out of the Arthurian chivalry into the Grail-community. The poem traces a *progress* from one set of values to another; a progress, moreover, which involves a stringent testing of Parzival. The notion of knightly testing and development is, of course, a familiar one; but the particular kind of develop-

¹² The editors of the *Jerusalem Bible* observe that comparison with *Revelation* 3.12-13, 19.11-13 suggests that the 'new name' was 'The Word of God'.

¹³ In one Jewish tradition (cf. *Numbers* 31.16) Balaam suggested to Balak that he should persuade Israel to idolatry with the help of the women of Moab.

¹⁴ Of course, in a sense, the wanderings of the Israelites in the desert symbolize the march of the Church at large towards the heavenly Jerusalem. But some more precise identification than this is probably indicated. From the time of Charlemagne the Franks had been habitually identified as the New Israel, a people specially chosen by God. (cf. J. M. Wallace-Hadrill *Early Germanic Kingship* (Oxford 1971), pp. 99-101). The claim was still being urged in the twelfth century:

'Guibert fe Nogent, writing about 1104, described the Crusade as '*Gesta Dei per Francos*': God working on earth through the Franks, his chosen people. The Franks, i.e. the French, were the people of Charlemagne: at St. Denis, just outside the gates of Paris, the cult of Charlemagne was steadily being fostered, largely by the superbly inventive genius of Abbot Suger ...' (F. Heer *The Medieval World* p. 130).

The claim did not go unchallenged. At the peak of the Hohenstaufen era, in the reign of Frederick Barbarossa, imperial propagandists like Rainald of Dassel derisively dismissed the pretensions of the French in favour of the Germans, who were the true Franks, custodians of the Holy Empire. (Ibid. p. 296). The aged Emperor, as he embarked on the Crusade, was hailed as a new Moses leading the chosen people into the Promised Land. (see *Frederick the Second 1194-1250* Ernst Kantorowicz. Constable. (London, Authorized version by E. O. Lorimer 1931, re-published 1957), p. 167).

ment we have here is, I think, a rather special one. It is a spiritual progress, and the form it takes strongly recalls something which was very much in the air in the twelfth century and early thirteenth century — St. Bernard's account of the approach of the soul to God, as it is described in such works as *The Steps of Humility* and the *Sermons on the Canticle*.¹⁵

III

There are three stages described by St. Bernard along the anagogic way to contemplation.¹⁶ He calls these stages "heavens"; and here he is drawing on St. Paul's account in 2 *Corinthians* 12.1-4 of his rapture to the third heaven. The first heaven is that of God the Son; the second that of God the Holy Spirit; the third that of God the Father.

'... those whom the Son calls to the first heaven through humility, the Spirit gathers in the second through love, and the Father exalts to the third through contemplation. In the first they are humbled in truth and say, *In thy truth thou hast humbled me*. In the second they rejoice in the truth and sing, *Behold how good and pleasant it is for brethren to dwell together in unity!* for it is written of love that it *rejoiceth in the truth*. In the third they are caught up to the mysteries of truth and exclaim, *My secret to myself, my secret to myself*.'¹⁷

15 It is not, of course, suggested that there is anything original to St. Bernard in the mere idea of a spiritual progress as such. He is, as J. Leclercq puts it (in *The Love of Learning and the Desire for God*, (Mentor Omega paperback 1962), p. 114) 'the symbol of a whole spiritual world, a whole literature which is a prolongation of the patristic age,' and inherits a theme, a figure of long standing in monasticism. The pattern of ascent, step by step, of the soul to God, is adopted from Origen by the Greek Fathers, and in particular by the monks of the East, and appears in a variety of forms: e.g. in St. Gregory of Nyssa one has a Jacob's ladder to Heaven, a mountain-climb, a pillar, a flame, a lovechain. (See *The Rule of St. Benedict A Commentary* by B. Steidle. Tr. U. J. Schnitzhofer O. S. B. Beuron Kunstverlag 1952 p. 127). The reason I invoke St. Bernard's influence here is threefold (a) this is the dominant spiritual influence of the time (b) he is known to have had an interest in and influence upon the religious aspect of chivalry (c) the logic of the Grail-story seems to me to be peculiarly the logic of St. Bernard's system. The steps in St. Benedict's ladder were not strictly progressive, and the logical arrangement of St. Anselm's system does not seem to have been influential. Bernard's treatise on St. Benedict's twelve steps of humility 'abounds in new definitions of familiar words, new arrangements of old thoughts, and new insights into states of mind. Without formally upsetting the ancient structure, Bernard gives it an appearance of logical coherence which was quite foreign to the original. He traces an ascent from self-knowledge and self-contempt, through neighbourly compassion, to perfect contemplation of the truth. He traces a descent from contempt of the brethren, through contempt of the superior, to contempt of God ...' (See R. W. Southern *The Making of the Middle Ages* Hutschinson University Press, (London. Paperback edn. 1967), pp. 219-220).

16 Much valuable work on the religious component of the poem has been done by scholars like J. Schwietering, H. Kolb and H. B. Willson. Obviously, some of the points made hereafter have been made before: it is, however necessary for me to re-state them for the sake of my argument.

17 *The Steps of Humility* ed. G. B. Burch (Notre Dame, 1963) 8, 23.

'...First when the Son of God, who is the Word and wisdom of the Father finds that faculty of our soul called reason weighed down by the flesh, captive to sin, blinded by ignorance, and given over to external things, he gently lifts it up, powerfully strengthens it, prudently instructs it, and turns it to internal things. Miraculously making the reason his vicar, as it were, he appoints it judge of itself, so that, out of reverence for the Word to which it is joined, prosecutor and witness and judge of itself, it performs the office of Truth against itself. From this first conjunction of the World and the reason is born humility.'¹⁸

This kind of humility is called *cognitive humility*. It is the first step along the anagogic path to the knowledge of God. It has no psychological cause or antecedent. Its only cause is God's preventing grace.¹⁹ It is that thorough self-examination which makes a man contemptible in his own sight.²⁰

The virtue is to know yourself as you really are: that you are a soul made in the image of God, but separated from Him by sin, ignorance and wretchedness. This virtue is a mean between two extremes. One extreme is pride, love of your own excellence, which is ignorance of yourself by overestimating your own merit.²¹ The other extreme, equally false, although not equally dangerous²² is false humility, which is ignorance of yourself by underestimating your own merit.²³

The fruits of cognitive humility are *conative humility*, the desire that other people should also see you as you really are (this is justice which renders to each his due);²⁴ *sorrow*,²⁵ that springs from the self-examination which makes a man contemptible in his own sight; *active charity* and the *desire for God*.

'Charity is the fruit of the self-examination which makes a man recognize in himself the weaknesses which he sees so clearly his neighbours, and so leads him to show mercy to them.'²⁶

This love is a gift of the Holy Ghost, by whom it is diffused in our hearts.²⁷ It is now apparent in what sense humility is the necessary con-

¹⁸ *Ibid.* 9, 27. cf. 22, 57.

¹⁹ Sermon 20 on the *Canticle*, 1.

²⁰ Burch *op. cit.* p. 49 cf. *Steps of Humility* 1, 2; 4, 14 and Bruch's fn. 4 to p. 49.

²¹ *Steps of Humility* 4, 14, and Burch's fn. 7 on p. 70.

²² Sermon 37 on the *Canticle*, 7 (Opera 2905).

²³ Burch *op. cit.* p. 50, fn. 9.

²⁴ Sermon for the Octave of Epiphany, 4.

²⁵ *Steps of Humility* 2, 4.

²⁶ Burch, *op. cit.* p. 56, and especially cf. *The Steps of Humility* 4, 13; as well as Sermon 44 on *Canticle*, 4; Sermon 50 on *Canticle*, 5; Sermon 2 for Easter (to the Abbots), 4.

dition of love of one's neighbour. We have a pattern in Christ Himself:

'Just as pure truth is seen only with a pure heart, so a brother's misery is truly felt with a miserable heart. But in order to have a miserable heart because of another's misery, you must first know your own and know from yourself how to help him, by the example of our Saviour, who willed His passion in order to learn compassion; His misery, to learn commiseration.'²⁸

'As the zeal for justice which rises from conative humility is the perfection of humility,²⁹ so charity is the perfection of justice. Active justice is expressed in active charity or beneficence — keeping God's commandments and doing unto others as you would that they should do unto you....³⁰ Love, therefore, is the fruit of justice.'³¹

As to the *desire for God* engendered by humility, this desire "leads us to seek His, seeking leads us to find Him, finding leads us to love Him."³² Love of God, then, is the fruit of desire for God.³³ The perfect love of God called contemplation is made possible by the love of neighbour which is a fruit of humility.³⁴ This is because love purifies the will, and so makes the mind's eye capable of contemplation.³⁵ It is after the spiritual vision has been purified by this brotherly love that it attains to the contemplation of truth in its own nature.³⁶

The supreme object of mystical contemplation, says St. Bernard, is Truth in itself.³⁷ which is the Word of God.³⁸ But there is another kind of contemplation as well for less perfect souls — a kind of clairvoyance which reveals the saints and angels in heaven. This kind of contemplation is less difficult than the former. Finally, for those incapable of contemplation, there is the assurance that meditation on Christ crucified will lead to the overcoming of their disabilities.³⁹ The sermon in which he distinguishes these three is one of particular relevance to

²⁷ Letter 107, 8-9; Letter 362, 1; Letter 368, 1; *The Steps of Humility* 7, 20; Sermon 1 for Michaelmas, 6.

²⁸ *The Steps of Humility* 3, 6.

²⁹ Sermon 47 on *Canticle*, 7.

³⁰ Misc. Sermon 54: 'Justitia est in duobus, in innocentia et in beneficentia; innocentia justitiam inchoat, beneficentia consummat.' Cf. Misc. Sermon 18, 4 and Misc. Sermon 125, 3.

³¹ Burch, *op. cit.* p. 70.

³² *Ibid.* p. 70 and see *On Loving God* 15, 39.

³³ See Letter 18, 2.

³⁴ Cf. *Sententiae S. Bernardi*, 21.

³⁵ Burch *op. cit.* p. 76. cf. *precept and Dispensation* 14, 36.

³⁶ *The Steps of Humility* 3, 6.

³⁷ *Ibid.* 3, 6; cf. 6, 19. See Burch *op. cit.* p. 77.

³⁸ Sermon 80 on the *Canticle*, 2. cf. *The Steps of Humility* 7, 20-21 (where the Father is called the object of contemplation; this is inconsistent with the Sermons on the *Canticle*).

our theme, Sermon 62 on the *Canticle*.⁴⁰ St. Bernard takes as his theme *Canticle* 2:14 'My dove in the clefts of the rock, in the hollows of the wall.'⁴¹ If, he says, we take the wall as signifying not just a pile of stones, but the Communion of Saints, may we not take the hollows in it to refer to the places left empty by the angels who fell from heaven because of their pride?⁴² For these places are to be filled by men, just as ruins are repaired with new and living stones. This is why the Apostle Peter says: *He is the living stone, rejected by men but chosen by God and precious to him; set yourselves close to him so that you too, the holy priesthood that offers the spiritual sacrifices which Jesus Christ has made acceptable to God, may be living stones making a spiritual house (1 Peter 2.4-5)*. Or one may think of the hollows as having been made by zealous and pious minds, by means of their thoughts and desires. The wall yields to the soul's yearning, to pure contemplation and frequent prayer. Everyone is able, even in this life, to excavate hollows in the heavenly wall, to behold and mingle with the denizens of heaven. Wherever he is led by the Holy Spirit, a hollow is made among the holy minds, so that he may rest, if only for a moment, in their midst.

'Happy is the soul,' exclaims Bernard, 'whose study it has been frequently to hollow out for itself caves of refuge in this wall, and still more happy if its refuge be in the rock. For it is open to us to hew and hollow out our refuge even in the Rock; but for this is required a sharper edge, as it were, of purity, a stronger force of will and pious intention, and furthermore, more prevailing merits of sanctity.'⁴³ Who can be thought qualified in these respects? Such as John or David or Paul. Of the latter he remarks:

'What shall I say of him who was wont to speak wisdom among them who were perfect, even the hidden wisdom, which none of the princes of this world knew (1 Cor. 2.6-8)? Did not that pious searcher, borne onward by a holy and religious, but penetrating curiosity, pass through the first and second heavens; and enter even into the third heaven in search of that wisdom? And he has not been silent about it to us, but has set it forth faithfully in such faithful words as he could command. For he heard unspeakable words, which it is not lawful for a man to utter (2 Cor. 12.4), that is to say, not to man; and of these he would discourse to God only.'⁴⁴

39 Burch *op. cit.* p. 82.

40 A somewhat stilted and inaccurate rendering of this is to be found in *The Works of St. Bernard* ed. S. J. Eales. Hodges. (1896) Vol. IV pp. 371-377. Burch has a short summary, *op. cit.* pp. 78-81.

41 Interestingly, Origen in his famous commentary on the *Canticle* refers at this point to 1 Cor. 10.4. See Origen *The Song of Songs Commentary and Homilies* tr. R. P. Lawson (Longmans, Green and Co. 1957) 8.

42 Possibly one source of the curious references to the angels in *Parzival*.

43 Eales *op. cit.* p. 373.

44 *Ibid.* p. 373.

IV

It is now appropriate to return to Wolfram's *Parzival*. I have argued that the Grail is to be understood as the Rock which is Christ Himself. I now contend, in the light of the evidence set forth, that the story of Parzival, as represented by Wolfram, is an attempt to embody St. Bernard's account of the anagogic way. It traces his achievement of humility through self-knowledge, and how the active charity of his knightly enterprises is consummated in the compassionate question put to Anfortas. As far as I can see, he never reaches the utmost limits of the anagogic way: this is reserved for Galahad.⁴⁵ But if he has not actually reached 'the clefts of the Rock,' at least, it seems, he may as the new Grail-keeper 'make hollows in the wall.'

Parzival's state of mind before his visit to Trevrizent should, perhaps, be considered in the light of what St. Bernard has to say about *voluntas propria*. The correspondence is not exact but it is close enough to be interesting. 'Proper will' is 'a refusal to have anything whatsoever in common with others, a decision to will nothing save for ourselves and for our own sake.'⁴⁶ It is marked by a twisting back upon self of a charity which has degenerated into cupidity.⁴⁷ It wages relentless war on God, inasmuch as it sets itself up against charity. By turning back on self it withdraws itself from His dominion; it seizes upon all that belongs to God.⁴⁸ The hidden source of "proper will" is "proper counsel", which is more pernicious still.

'The evil is formidable, for the more we are wedded to our own opinion (*sensum proprium*), the worse we are and the more we believe ourselves righteous. There is no disposition of the soul that more easily brings with it an illusory sense of righteousness, for it sins not by lack of zeal, but by lack of knowledge; it is in truth a misdirected zeal ... True, it exalts righteousness — not God's however, but its own. It works in those who are zealous for God but not according to knowledge; they become obstinate in error to the point of refusing to listen to anyone. These are the destroyers of unity, the enemies of peace, void of charity, swollen with vanity, full of self-complacency and great in their own eyes, they ignore the righteousness of God, and would set up their own in its place ...'⁴⁹ At

45 See below, pp. 17-18.

46 E. Gilson *The Mystical Theology of St. Bernard*, tr. by A. H. C. Downes, Sheed and Ward, (London and New York 1940), p. 55.

47 St. Bernard, Sermon 3 *In Tempore Resurrect.*, 4.

48 Gilson *op. cit.* pp. 55-6.

49 St. Bernard, Sermon 3 *In Tempore Resurrect.*, 4.

bottom, then, this *sensum proprium* is idolatry, self-adoration, and revolt against God.⁵⁰

Briefly, what is wrong with Parzival before his visit to the hermit is that he is engrossed in self-interest. In his eagerness to embrace knighthood he makes off from his forest home — and it is many years before he learns that his mother has thereupon expired with grief. He must have knightly equipment, so he casually slaughters Ither — who later proves to have been his own kinsman. He is intent that amid all the ceremonial of the Grail court he must not seem uncouth by engaging in unnecessary conversation — and so fails to ask Anfortas, in simple compassion, what ails him.

What is more, he is so mistaken as to think that God is under some sort of obligation to him and ought to reward his chivalry. When he learns of his disgrace because of his failure at the Grail court, he impudently claims that God has failed *him*, and repudiates his allegiance to Him. During the period before his arrival at the hermit's cell, he is full of self-righteousness, and thinks by his own resources to retrieve his error at Munsalvaesche.

From Trevrizent he learns that which brings him at last to true humility and causes him to set aside his insolent defiance of God. Now at last he discovers how ill-founded has been his charge of faithlessness on God's part, when the hermit explains to him that God is loyalty, and cannot be untrue to any man.⁵¹ What he has not allowed for are the facts of Man's sin and God's mercy: 'service' of God is an attempt to *win back* His favour. Reliance on mere chivalry will not help him; no mere human convention can avail him unless it is subordinated to the will of God. What He looks for is that a man should be *kiusche*, 'pure' in the sense of willingly embracing His will and submitting himself to his divinely appointed destiny.⁵² Or in other words, that he should exhibit that *voluntas communis* which is charity, and which is the contrary of *voluntas propria* in the system of St. Bernard. When Parzival questions why God has not called him to win renown in this life and Paradise for his soul in the practice of chivalry, like the knights of Munsalvaesche, Trevrizent is quick to detect the underlying presumption:

dô sprach aber sîn kiuscher wirt
 'ir müest aldâ vor hôchvart

'But there,' said his devout host,
 'a humble will would have to guard

⁵⁰ Gilson *op. cit.* p. 57.

⁵¹ *Parzival* 462, 19 and 28.

⁵² See discussion in Sacker *op. cit.* pp. 99-101.

mit senften willen sîn bewart.
iuch verleit liht iwer jugent
daz ir der kiusche bræchet tugent.
hôchvart ie seic unde vile ...'
(*Parzival* 472, 12-17)

you against pride. Your youth
could all too easily tempt you
to violate the virtue of moderation.
Pride has always sunk and fallen.'

The youthful extravagance of Anfortas led him into such pride:

... 'hêrre, ein kûnec
dâ was:
der hiez und heizt noch Anfortas.
daz sol iuch und mich armen
immer mêr erbarmen
umb sîn herzebære nôt,
die hôchvart im ze lône bôt.
sîn jugent unt sîn rîcheit
der werlde an im vuogte leit,
unt daz er gerte minne
ûzerhalp der kiusche sinne.
Der site ist niht dem grâle reht:
dâ muoz der rîtter unt der kneht
bewaert sîn vor lôsheit.
diemûet ie hôchvart überstreit.
(*Parzival* 472, 21-473-4).

'Sir, a king was there who
was called and is still called
Anfortas. You, and I too, poor
though I be, should never cease to
feel
compassion for his grief of heart,
which pride gave him as
a reward. His youth and power
brought grief to all around
him, and his desire for
love beyond all restraint
and bounds.
Such ways are not fitting for the
Grail. There both knight and squire
must guard themselves against in-
continence. Humility has conquered
their pride.

The point being made here is, I think, that Parzival and Anfortas have the same fault — they are self-engrossed and self-willed men, subject to pride and self-esteem. When Parzival has been brought to self-knowledge and humility, his reaction to the plight of the suffering Grail-keeper is one of compassion. (Notice, too, that the reaction of Trevrizent, who by his own account has, like Anfortas, deflected from the proper pursuits of a Grail-knight, is also one of tender compassion for his brother). This movement from humble self-knowledge to the active charity of compassion seems very aptly to reflect the terms of St. Bernard's account of the anagogic way.

As I have observed above, neither in Wolfram's work nor in the *Quest of the Holy Grail* does Parzival attain to the third stage in all its fullness: this is reserved for Galahad. Toward the end of the French work, Galahad reveals the reason for his repeated prayers that he might die at the hour of his asking:

'Ce vos dirai ge bien, fet Galaad. Avantier, quant nos veismes partie des merveilles del Saint Graal que Nostre Sires nos monstra par sa sainte

pitîé, en ce que je voioie les repostes choses qui ne sont pas descubertes a chascun, fors solement aus menistres Jhesucrist, en cel point que je vi ces aferes que cuers de terrien home ne porroit penser ne langue descrire, fu mes cuers en si grant soatume et en si grant joie que se je fusse maintenant trespassez de cest siecle je sai bien que onques hom en si grant beneurté ne morut come je feisse lors. Car il avoit devant moi si grant compaignie d'angleres et si grant plenté de choses esperitex que je fusse lors translatez de la terrienne vie en la celestiel, en la joie des glorieus martirs et des amis Nostre Seignor.⁵³

Later, we hear the same resonances from St. Paul and St. Bernard, in the account of Galahad's looking into the Grail:

'Et si tost come il ot regardé, si comence a trembler molt durement, si tost come la mortel char commença a regarder les esperitex choses. Lors tent Galaad ses meins vers le ciel et dit:

"Sire, toi ador ge et merci de ce que tu m'as acompli mon desirrier, car ore voi ge tot apertement ce que langue ne porroit descrire ne cuer penser. Ici voi ge l'a començaille des granz hardemenz et l'achaison des proeces; ici voi ge les merveilles de totes autres merveilles! Et puis qu'il est einsi, biax dolz Sires, que vos m'avez acomplies mes volentez de lessier moi veoir ce que j'ai touz jors desirré, or vos pri ge que vos en cest point ou je sui et en ceste grant joie soffrez que je trespasse de ceste terriene vie en la celestiel."⁵⁴

As M. Gilson pointed out long ago,⁵⁵ the experience of the Grail is presented to us in the *Quest* largely in terms of the descent of the Holy Spirit at Pentecost. But in the passages just quoted, and elsewhere, it is seen too, as he shows, in terms of the rapture of St. Paul. Thus in Pauphilet's edition p. 19, 25-6; p. 85, 13-15; p. 258, 6-9 there are unmistakable Pauline echoes. That these passages are not to be lightly dismissed seems certain; the more so because the *Quest* contains, interestingly, not only a couple of references to the Mosaic water-miracle⁵⁶ but also a couple of unexplained allusions to stones in the immediate proximity of the Grail-vessel.⁵⁷ Worthy of remark, too, is the clear allusion to *Numbers* 16: 3 and 13. 31-3 in the account of the attempt to oust Josephus.⁵⁸ See further below, Appendix 2.

53 *La Queste del Saint Graal* ed. A. Pauphilet, (Paris, 1967), p. 274.

54 Pauphilet *op. cit.* pp. 277-278.

55 *Romania* 51 (1925): 'La mystique de la Grace dans la Queste del Saint Graal.'

56 Pauphilet *op. cit.* p. 69, 8-17; p. 249, 27-9. cf. also p. 163, 6-9.

57 *Ibid.* p. 57, 24-5 (notice that the stone is inscribed); p. 59, 12-14 (in this case the vessel is actually standing on a table on the stone).

58 Pauphilet *op. cit.* p. 76, 16-21.

APPENDIX I

The *Corpus Christi Carol* is recorded in the commonplace book of a certain Richard Hill. The book, Balliol MS 354, belongs to the early 16th. century, but the poem may belong to an earlier period.

Lully, lulley, lully, lullëy,
 The faucon hath borne my make away.
 He bare him up, he bare him down,
 He bare him into an orchard brown.
 In that orchard there was an halle,
 That was hanged with purpill and pall.
 And in that hall there was a bede,
 It was hanged with gold so rede.
 And in that bed there lithe a knight,
 His woundes bleding day and night.
 By that bede side kneleth a may,
 And she wepeth both night and day.
 And by that bede side there stondeth a stone,
Corpus Christi wreten there on.

There are three later variant forms of the poem: the first was brought to light by James Hogg in 1807;¹ the second, usually called "The Staffordshire Version" was sent up to *Notes and Queries* 3rd S., ii. 103) in 1862; and the third, "The Derbyshire Version," was noted down by I. Gatty and R. Vaughan-Williams in 1908 at Castleton.² — All of these variants refer to the stone at the bedside, but none of them reproduces the information about the inscription on it. Apart from this, the most significant divergences from the carol, from the point of view of the present study, are as follows:

Staffordshire Version:

At that bedside there lies a stone,
 All bells in Paradise I heard them a-ring;
 Which is our blessed Virgin Mary then kneeling on,
 And I love sweet Jesus above all thing.
 At that bed's foot there lies a hound,
 Which is licking the blood as it daily runs down.
 At that bed's head there grows a thorn,
 Which was never so blossomed since Christ was born.

¹ For a contrast of this with the carol and the Staffordshire version see E. C. Batho *The Ettrick Shepherd* (1927).

² See *Journal of the Folk-Song Society*, 4 (1910).

Derbyshire Version:

At the bedside there lies a stone,
 The bells of Paradise I heard them ring;
 Which the sweet Virgin Mary knelt upon,
 And I love my Lord Jesus above anything.
 Under that bed there runs a river,
 The one half runs water, the other runs blood.
 At the foot of the bed there grows a thorn,
 Which ever blossoms since He was born.
 Over that bed the moon shines bright,
 Denoting our Saviour was born this night.

Hogg Version:

And by the bed there stood a stone,
 And there was set a leal maiden,
 With silvere needle and silken thread,
 Stemmyng the woundes when they did bleed.

The enigmatic scene presented to us by the poem in its various forms has been the occasion of a good deal of speculation.⁴ Many years ago the wounded knight was identified as Anfortas,⁵ but this view does not square easily with the details given, especially the plural *woundes* and the weeping maiden kneeling beside the bed. Most modern commentators⁶ take the line suggested by 'All bells in Paradise,' and see the scene as a Pietà. But this opinion, too, has its difficulties: what about the curious reference to the hound in Stanza 6 of the Staffordshire version?

It seems to me most likely that we have here a reference to the poignant story of Sigunde and Schionatulander. Having accepted his service, she sends him off on a frivolous mission to procure for her a certain dog's lead. In attempting to fulfil her wishes he becomes involved in a battle with Orilus, by whom he is slain. When Parzival first comes upon her she is sitting on the ground, her lover in her lap, weeping and tearing her hair. At their next encounter, she is sitting in a tree with the embalmed Schionatulander in her arms.⁷ The next time they meet, she is occupying a hut-cell which contains her lover's coffin. Finally, she is discovered lying dead across the coffin.

3 Cf. St. John's Gospel 19.33-4. See below, p. 372.

4 In recent years, interesting views have been expressed by J. Speirs in *Medieval English Poetry*, and by F. Berry in *Poets' Grammar*.

5 See the discussion of the four versions by Miss Annie G. Gilchrist in *Journal of the Folk-Song Society* 4 (1910).

6 E.g. J. Speirs *Medieval English Poetry* pp. 76-80.

7 Mr. H. Sacker remarks, *op. cit.* p. 50, that trees were the refuge of various legendary medieval hermits.

Let us now consider individual points of difficulty in interpretation of the carol:

The faucon hath borne my make away: In religious symbolism, the wild falcon betokened evil thought or action.⁸ The sense of the line would appear, then, to be that the speaker's lover has been slain as a result of some such evil thought or action.

He bare him into an orchard brown: Translation of the story into a lyric genre has apparently resulted in the assimilation of the desolate forest of the *Terre de Salvæsche* to the familiar otherworld orchard of popular balladry.⁹

In that orchard there was an halle: Doubtless the hut-cell of *Parzival*.¹⁰ *His woundes bleding day and night:* The bleeding wounds seem to suggest that the knight, at the time he was lying on the bed in the 'halle', was still alive. This would not, of course, agree with the Sigune-Schionatulander story. But this apparent discrepancy is probably to be explained in terms of a familiar convention of mediaeval story, that of the bleeding corpse.¹¹ This motif appears in the *Nibelungenlied* and in the *Yvain* of Chrétien de Troyes, as well as in the song of *Young Hunting*. It was held in popular supersition that the body of a murdered person would bleed upon the approach of, or at the touch of, the slayer. The implication would seem to be that Sigune is the person truly guilty of the death of Schionatulander.

Corpus Christi wreten there on: The Grail, which in *Parzival* provides the mourning Sigune with substantial nourishment. The presence of the Grail in the cell of Sigune, rather than in the Grail-castle I take to be a poetic licence.

At that bed's foot there lies a hound,

Which is licking the blood as it daily runs down. (Staffordshire) This is presumably a recollection (and a pretty tasteless one) of the foolish mission on which Schionatulander had been sent when he met his death.

Which is our blessed Virgin Mary then kneeling on: The pathetic scene which confronts Parzival when he first discovers Sigune weeping over the body of the newly-slain Schionatulander¹² obviously, in its pictorial features, suggests that which in the later Middle Ages was used for the *Pietà*. In-

8 See G. Ferguson *Signs and Symbols in Christian Art* (OUP 1961) p. 18.

9 See L. C. Wimberly *Folklore in the English and Scottish Ballads* (Ungar 1928), pp. 126-7, 134, 150, 153 ff., 276 f.

10 cf. *Parzival* 435, 2 ff. and L. C. Wimberly *op. cit.* p. 126.

11 cf. L. C. Wimberly *op. cit.* p. 79.

12 cf. *Parzival* 138, 9 ff. and also the second encounter 249, 11 ff.

deed, it has been suggested that it is a sort of precursor of it.¹³ This fact, along with the inscription on the stone, appears to have given rise to the view that the figures in the scene are Jesus and Mary. The clumsy mishandling of the line corresponding to the final line of the carol, in two of the three later variants, points in all probability to the re-writing of something which was no longer clearly understood.

At that bed's head there grows a thorn,

Which was never so blossomed since Christ was born. This seems to belong to the stage in the poem's development when the knight has already been identified as Christ. In religious art, thorns and thorn-bushes commonly signify grief and tribulation.¹⁴ The passage appears to mean that never had there been such sorrow throughout the whole life of Christ, as there was at His death. The reading of the Derbyshire version:

*At the foot of the bed there grows a thorn
Which ever blossoms since He was born*

seems rather to be slanted towards the tradition of the Glastonbury Thorn.

The one half runs water, the other runs blood: (Derbyshire) The allusion to St. John's Gospel may owe something to the Corpus Christi inscription on the Grail-stone, as the streams of water and blood from the side of Christ have from ancient times been associated with Baptism and the Eucharist.

¹³ See Julius Schwietering 'Mittelalterliche Dichtung und bildende Kunst,' *Zeitschrift für deutsches Altertum* 60 (1923).

¹⁴ See G. Ferguson *op. cit.* p. 38.

APPENDIX II

Strong supporting evidence for my view of the Grail in Wolfram's *Parzival* is to be found in Robert de Boron's *Joseph of Arimathea*.¹ Here again we have the recalling of Israel's sojourn in the wilderness. The Jews are exhorted by Joseph to forsake their heritage, and to accompany him into exile, for love of God.

Joseph dist: "Se vous me voulez
Croire, pas ci ne demourrez;
Ainçois leirez vos heritages,
Vos terres et vos hesbergages
Et en eissil nous en iruns;
Tout ce pour amour Dieu feruns." (11. 2345-2350)

At first all is well with them — then things begin to go wrong. This is on account of their sin of lechery.²

Et cil maus qui leur avenoit
Par un tout seul pechié estoit
Qu'avoient entr'eus commencié,
Mout en estoient entechié:
C'iert pour le pechié de luxure,
Pour teu vilté, pour tele ordure. (11. 2379-2384)

Bron/Hebron,³ the brother-in-law of Joseph, and later designated the Rich Fisher, intercedes with Joseph on their behalf. The latter prays before the Grail, and is instructed by God to construct a table in imitation of that of the Cenacle. Bron is to catch a fish, which is to be laid on the table beside the Grail. When Joseph has invoked the three virtues of the Trinity, the sinners will be revealed, for only the virtuous

¹ Robert de Boron *Le Roman de l'Eistoire dou Graal* ed. William A. Nitze, (Paris, 1927).

² With which cf. pp. 4-5 above.

³ The significance of the name Hebron is discussed by J. D. Bruce in *The Evolution of Arthurian Romance* 2nd ed. Gottingen, (1928) Vol. II pp. 130-133. Hebron is mentioned in *Numbers* 3.19 as a Levite of the Kohathite clan, who were especially charged with the care of the Ark. (cf. 3.31). As Nitze remarks (*op. cit.* Introduction p. xiii) "Si Robert, dans son zèle à faire des prosélytes pour le nouvel ordre, cherchait à mettre son Graal sur le même pied que l'Arche de l'Ancien Testament, il ne pouvait pas faire mieux que de le confier à un personnage que rappelât formellement un des fils de Kohath." The choice of Hebron as a name is made all the more interesting by the fact that the Biblical character was in fact the uncle of Moses, the leader of the Israelites (See *Exodus* 6.18, 20). Though this does not correspond to the relationship between Bron and Perceval in the Old French material, it does recall that between Anfortas and Parzival. (The parallel is not, however, an exact one, as Parzival is Anfortas' sister's son, whilst Moses was Hebron's brother's son).

will be able to sit down at the table. These latter, once seated, enjoy their hearts' desire:

Ainsi eurent la grace la
 Ki mout longuement leur dura.
 Li autre qui dehors estoient,
 A ceus dedenz mout enquieroient:
 "Que vous semble de cele grace?
 Que sentez vous qu'ele vous face?
 Et qui vous ha ce don donné,
 Ne qui vous ha en ce enfourmé?"
 Cil respondent: "Cuers ne pourroit,
 A pourpenser ne soufiroit
 Le grant delit que nous avuns
 Ne la grant joie en quoi nous suns,
 Qu'il nous y couvient demourer
 Dusqu'au matin et sejourner ..." (11. 2601-2614)⁴

The grace comes from Jesus, who saved Joseph from prison.

It seems appropriate at this point to enquire into the significance of the choice of Joseph of Arimathea as, so to say, a Moses-figure leading the Israelites into the wilderness, and also to reflect upon the curious detail of Bron being required to catch a fish which shall be laid on the table beside the Grail. As to the former, it seems to me not unlikely that the significant point of comparison between Joseph and Moses was precisely the water-miracle which has been discussed earlier: Moses draws water from the Rock which typifies Christ; Joseph catches the issue from the body of the slain Saviour—and no doubt here the thought which is uppermost is the outpouring of water and blood from the heart of Christ when it was pierced by the lance of Longinus. (Cf. St. John's Gospel 19.33-4).⁵ It is interesting to reflect, in this connection, that in his Sermon 62 on the *Canticle* alluded to above (p. 13), St. Bernard takes in *foraminibus petrae* to refer to the Sacred Wounds and Heart.⁶ Gregory of Elvira too, sees the issue of water from Christ's side as the renewal of the water which flowed from the rock in the wilderness.⁷

This links up thematically with the fish, as J. Daniélou has demonstrated in a very well-documented chapter, "Living Water and the

⁴ With which compare pp. 10, 17-18 above.

⁵ Compare the Derbyshire version of the Corpus Christi Carol, Stanza 2, quoted above p. 20.

⁶ Not an original interpretation, but taken up from Bede (see Migne P. L. t. 91. Col. 1113), and ultimately deriving from Justus of Urgel (see Migne P. L. t. 67. Col. 972 Num. 48).

⁷ See *Tract.*, XV; Migne P. L. Suppl., I, pp. 445-8.

Fish," of his *Primitive Christian Symbols*.⁸ The fish is precisely the sign which indicates that certain water is *living* water. And it seems highly likely that in connection with the Grail legend, we should be thinking of the symbolism of living water found in St. John's Gospel:

'On the other hand St. John records these words of Christ: "If any man thirst, let him come to me and drink, he that believeth in me. As the scripture saith, Out of his belly shall flow rivers of living water. Now this he said of the Spirit which they should receive who believed in him" (7.37-9). Here living water is a symbol of the Holy Spirit. Notice that this is John's own comment and it rests on his theology. This symbolism reappears at the end of the Apocalypse: "And he shewed me a river of water of life (ῥόδωρ ζωῆς) ... proceeding from the throne of God and of the Lamb" (22.1). We have seen that the *Manual of Discipline* is the first text in which living water figures in direct association with the Holy Spirit. For Ezechiel and John the Baptist they are dissociated as two steps. It may then be thought that the symbolism of living water as representing the Holy Spirit is properly John's, and in him depends on the theology of Qumran."⁹

The author takes this passage as having sacramental overtones — "It is the baptismal outpouring of the Holy Spirit that is being pointed to." (p. 47). There is indeed some reference to baptism in the Grail legend — e.g. in *Parzival* 817, 4-7 the stone provides water for the font — and this may be another reason, in view of the close association of Pentecost with baptism, why we should think that the thematic complex of Rock — living water — fish is intended to prepare us for the central notion of the descent of the Holy Spirit, which M. Gilson has indicated.¹⁰

Elsewhere in the Grail literature another important theme is to be found which may reflect on the *Book of Numbers* — that of the Siege Perilous, which has features which seem to recall an incident¹¹ in which the authority of Moses and Aaron over the children of Israel was challenged by a band of dissidents led by Dathan, Abiram and Korah.

'...Dathan and Abiram sons of Eliab, and On son of Peleth (Eliab and Peleth were sons of Reuben) rebelled against Moses, together with two

8 *Primitive Christian Symbols* by J. Daniélou S. J., Burns and Oates (London 1964), Chapter 3. The symbolism which I understand to be primary here does not, I think, exclude a strong sense of the *ichthus* acrostic: indeed, this latter being so familiar may well have obscured the point being made by the former. Nor do I regard it as of critical importance that Robert does not explicitly mention the issue of water from Christ's side: the words of St. John on the subject would be very well-known to a mediaeval audience.

9 *Ibid.* p. 46.

10 In 'La Mystique de la Grace dans la Queste del Saint Graal' *Romania* 51 (1925).

11 See *Numbers* XVI 1b-4, 12-15, 25-6, 27b-34. Compare p. 18 above.

hundred and fifty of the sons of Israel, leaders of the community, prominent in the solemn feasts, men of repute. These joined forces against Moses and Aaron saying to them, 'You take too much on yourselves! The whole community and all its members are consecrated, and Yahweh lives among them. Why set yourselves higher than the community of Yahweh?'

Moses, when he heard this, threw himself face downward on the ground Moses summoned Dathan and Abiram, the sons of Eliab. They replied, 'We will not come. Was it not enough to take us from a land where milk and honey flow to die in this wilderness, without seeking to lord it over us now? There is no land flowing with milk and honey that you have brought us to, nor have you given us fields and vineyards for our inheritance. Do you expect this people to be blind? We will not come.' Moses flew into a rage and said to Yahweh, 'Pay no heed to their offering. I have not taken so much as a donkey from them, nor have I harmed any of them.' ...

Moses stood up and went to Dathan and Abiram; the elders of Israel followed him. He said to the community, 'Stand away, I beg you, from the tents of these perverse men, and touch nothing that belongs to them, for fear that with all their sins you too will be swept away.'

Dathan and Abiram had come out and were standing at their tent doors, with their wives and their sons and their young children, Moses said, 'By this you will know that Yahweh himself has sent me to perform all these tasks and that this is not my doing. If these people die a natural death such as men commonly die, then Yahweh has not sent me. But if Yahweh does something utterly new, if the earth should open its mouth and swallow them, themselves and all that belongs to them, so that they go down alive to Sheol, then you will know that these men have rejected Yahweh.'

The moment he finished saying all these words, the ground split open under their feet, the earth opened its mouth and swallowed them, their families too, and all Korah's men and all their belongings.

They went down alive to Sheol, they and all their possessions. The earth closed over them and they disappeared from the midst of the assembly. At their cries all the Israelites around them ran away. For they said, 'The earth must not swallow us!'

We left off our account of Robert de Boron's poem at the point where the virtuous had taken their seats at Joseph's table, to the exclusion of the sinful. What follows — the story of how a false disciple called Moysés tries to seat himself in a vacant place — is a sort of prototype of the *Siege Perilous* tale, and seems to establish the connection between the Biblical passage quoted above and the *Siege Perilous* proper.

Ces fauses genz qui s'en alerent
Un de leur compeignons leissierent,

Qui Moysés a non avoit
 Et au pueple sage sembloit,
 En lui gueitier bien engigneus
 Et en paroles artilleus;
 Bien commençoit et bien finoit,
 En sa consciënce feisoit
 Et semblant que il sages fust
 Et que le cuer piteus eüst.
 Dist ne se movra entreseit
 D'avec ces genz que Dieux si peit
 De la grace dou Seint Esprist.
 Lors ploura et mout grant duel fist
 Et triste chiere et trop piteuse
 Par semblance trop merveilleuse.
 Et s'aucuns delez lui passoit,
 De la grace mout li prioit
 Que pour lui devant Joseph fust,
 Que il de lui merci eüst.
 Ce prioit menu et souvent,
 Ce sembloit, de cuer simplement:
 "Pour Dieu! priez Joseph que j'aie
 De la grace ki nous apaie."
 Par meintes foiz proia ainsint,
 Tant qu'a une journee avint
 Qu'il estoient tout assemblé;
 De Moysés leur prist pité,
 Et dirent qu'il en palleroient
 A Joseph et l'en priëroient.
 Quant tout ensemble Joseph virent,
 Trestout devant ses piez cheïrent,
 Et li prie chaucuns et breit
 Qu'il de Moyset pitié eit.
 Et Joseph mout se merveilla
 De ce que chascuns le pria,
 Et leur ha dist: "Vous, que voulez?
 Dites moi de quoi vous priez."
 Il respondent hisnelement:
 "Li plus granz feis de nostre gent
 S'en sunt alé et departi;
 Un seul en ha demouré ci,
 Qui pleure mout tres ténrement
 Et crie et fait grant marrement,
 Et dist que il ne s'en ira
 De ci tant comm'il vivra.
 Il nous prie que te prions,

De la grace que nous avuns
 Icilec en ta compeignie
 A grant joie et a seignourie,
 Qu'avec nous en soit parçonniers,
 Car nous le vouluns volentiers."
 Joseph respont sanz reculer:
 "Ele n'est pas moie a donner,
 Car Nostres Sire Diex la donne
 La ou il vieut a tel persone.
 Cil cui il la donne, pour voir,
 Sunt tel qu'il la doivent avoir;
 Et cil, espoir, n'est pas iteus
 Comme il se fait, bien le set Dieus.
 Ce devuns savoir, non quidier,
 Que il ne nous puet engignier.
 S'il n'est boens, il s'engignera
 Et tout premiers le comparra.
 —Sire, nous avuns grant fiance,
 Et se pert bien a sa semblance.
 (*J. of Arimathea* ll. 2687-2751).

At this point a lacuna appears in the MS, which Nitze supplies from the prose version:¹²

"Mais, por Deu, donez li ceste grace, se vos poez." Et Joseph respont: "S'il i velt estre, il li covient estre tex com il se fait; et neporquant g'en proierai Nostre Seignor por vos." Et il respondent: "Granz merciz." Lors vint Joseph toz seux devant lou Graal et se coucha a codes et a genouz et pria Jhesu Crist, nostre sauveeur, que il par sa pitié et par sa bonté li face veraie demostrance de Moys, se il est tex com il fait lou samblant. Lors s'aparut la voiz du Saint Esperit a lui et dist: "Joseph, Joseph, or est venuz li tens que tu verras ce que ge t'ai dit dou siege qui est entre toi et Bron; tu pries, et tu cuides, et cil qui t'en ont prié qu'il soit tex com il fait lou samblant. Di li, se il est tiex comme il se fait, et il atant la grace comme il fait lou samblant, si aille avant et s'asiee a la table, et lors verras que il devendra." Ensinc come la voiz ot commendé a Joseph, si lou fist; si vint avant et parla a cels qui de Moys l'avoient prié et lor dist: "Dites a Moys; se il est tex que il doie avoir la grace, nus ne la li puet tolir; et se il est autrement que il ne fait lou samblant, n'i vaigne ja, car il ne puet nului si bien angignier ne traïr com soi meisme." Cil alerent a lui, si li distrent tot ensinc com Joseph lor ot comendé a dire. Quant Moys l'oï, si en fu moult liez et dist: "Je ne redot rien que seulement lou congié de Joseph et qu'il ne croit que ge ne soie tex que je n'i doie bien entrer." Et il li respondent:

¹² See *Le Saint Graal* ed. E. Hucher, (Le Mans and Paris, 1875-8), I.258-60; *Joseph d'Armathe* ed. G. Weidner, Oppeln, 1881 1128-78.

"Son congié as tu, se tu fais sa loi." Lors lou prannent entr'ax, si en font moult grant joie et l'ameinent au servise. Et Joseph, quant il lo vit, si li dist: "Moys, Moys, ne t'apochier de chose dont tu ne soies dignes; nus ne te puet si bien anginier comme tu meismes; garde que tu soies tex con genz quident." Et Moys respont: "Si voirement con ge sui boens, me doint Deux durer en ta compaignie. — Or va avant, dist Joseph, se tu ies tex com tu diz, nos lou verrons bien." Lors s'asist Joseph et Brons, ses serorges, et tuit li autre, chascuns en son leu com il durent. Et quant il furent tuit assis, Moys fu en estant et ot paor et ala entor la table, ne il ne trueve leu ou il s'asiee que lez Joseph. Si s'i asiet, et quant il fu assis, si fu fonduz maintenant en terre, ne ne sembla que onques i eust esté. Et quant cil de la table virent ce, si en furent moult effreé de celui qui einsin fu perduz entr'aus.

The critical point at issue is the significance of Moysés' action in seeking to occupy the vacant place at Joseph's table. And here, curiously, Robert's explanation does not seem to agree with the rest of the material as well as that given in the Didot-Perceval. For him the vacant place is that which was relinquished by Judas: presumably, then, Moysés would be presumptuously setting himself up as an apostle. But in the Didot-Perceval the vacant place at the table corresponds to that which the Lord Himself had occupied at the Last Supper, and

nus hom ne devoit seïr el liu u Nostre Sires avoit sis ...¹³

For the false disciple Moys (as he is called in this text) to occupy *this* seat implies, one feels, a sort of bid for the leadership of Israel, or more properly the new Israel. It can scarcely be a coincidence that the disciple's name is Moys. Presumably the point which is being made here is that just as God cast down into the abyss those who improperly and presumptuously challenged the divinely-bestowed authority of Moses over the Israelites of old in the desert, so also is it with the leadership of the new Israel. Not even Moses himself can aspire to this, now that the New Law has superseded the Old.¹⁴

¹³ See the Prose Perceval according to the Modena MS printed in *The Legend of Sir Perceval* by Jessie L. Weston, (London 1909), Vol. II pp. 11-12.

¹⁴ I maintain this view in spite of the tradition represented by the Vulgate *Estoire*, the Post-Vulgate *Queste* (but not the Vulgate *Queste*) and the *Lancelot* that Moïse was the son of Simeu. (The historical Moses was the son of Amram). This tradition is not likely to be an attempt to conflate with the figure of the presumptuous Zimri son of Salu, who was a Simeonite. (See above p. 5). Rather, it is just an attempt to *dissociate* the Moses here from the patriarch. But what then is the point of the *Estoire's* account of the punishment of Moïse? It relates that he was carried off by flaming hands to the forest of Darnates where he was to remain 'en feu ardent' until 'li buens chevaliers le vendra visiter por savoir la merveille de ceste chose.' (Vulgate version I.261). In the Post-Vulgate *Queste* Galaad does in fact find Moïse there and bring him relief. (MS B. N. fr. 343, f. 100 c.) This does look somewhat like the leading forth of Moses from the Limbo of the Just in the Harrowing of Hell.

The theme of the plunging of Moys into the abyss is caught up later on in the account of the Siege Perilous given in the Prose Perceval.¹⁵

Et lors dist Percevaus au roi qu'il voloit aler veïr le table reonde et çaus qui i seoient, et li rois li dist: 'Biaus amis, demain le poés veoir,' et Percevaus li dist: 'Sire, je les i verroie molt volentiers seoir.' A tant le lascia, et firent grant feste le nuit, et lendemain s'asamblèrent li baron et oïrent le messe, et quant li messe fu dite si s'en vinrent tout el liu la u le table reonde seoit, et li rois les fist aseoir et quant il furent assis si remest li lius vius, et Percevaus demanda le roi que cil lius vius senefia, et li rois li dist: 'Biaus amis, il senefie grant cose, car il i doit seoir li mielldres cevaliers del monde!' Et Percevaus pensa en son cuer qu'il s'i asseroit, et li dist le roi: 'Sire, donés moi le don que je m'i assiece.' Et li rois respondi qu'il ne s'i asseroit mie, car il l'en poroit bien meschaïr, car el liu vuit s'assist ja uns faus deciples, que maintenant qu'il fu assis fu fondus en terre, 'et se je vous en donoie le don si ne vous i devés vous mie assëir.' Et quant Percevaus l'oï si s'en coreça, et dist: 'Sire rois, si m'aït Dex, se vous ne m'en donés le congié je vous di bien que je ne serai plus de vostre maisnie!' Quant Gavains a çou oï si en fu molt dolans, car il amoit molt Perceval, et li dist: 'Sire, donnés l'ent le congié.' Et lors en pria Lancelos le roi, et tout li.xij.per, et tant en proierent le roi que a grans painnes qu'il li otroia, et li dist: 'Je vos en doing le don.' Quant Percevaus l'a oï si en fu molt liés, et passa avant, et se segna del Saint Esperit, et s'asist el liu, et tant tost com il fu assis li piére fendi desous lui et braist si angoisseusement qu'il sambla a tous çaus qui la estoient que li siecles fondist en abisme, et del brait que li terre jeta si issi une si grans tenebrors qu'il ne porent entreveïr en plus d'une liuee.'

A voice then declares that were it not for the merit of Alain li Gros and for the merit of Bron his grandfather, called the Fisher King, Perceval 'would have been hurled into the abyss and would have died the same grievous death that Moys died when he sat falsely in the place where Joseph had forbidden him to sit.' Moreover the Fisher King's infirmity will never be healed, nor the stone be re-united at the place at the Round Table where Perceval has sat

'dusque dont qu'uns cevaliers ait tant fait d'armes, et de bontés, et de proueces, de çaus meïsmes qui sont assis a cele table, et quant cil chevaliers sera si essauciés sor tos homes, et ara le pris de le chevalerie del siecle, quand il ara tant fait, si l'asenera Dex a la maison le rice Roi Pescheor. Et lors, quant il aura demandé quoi on en fait, et cui on en sert,

¹⁵ See the Prose Perceval according to the Modena MS printed in *The Legend of Sir Perceval* by Jessie L. Weston, (London, 1909), Vol. II pp. 20-21; *The Didot Perceval* ed. W. Roach, Univ. of Pennsylvania Press, (Philadelphia, 1941) pp. 148-51.

de cel Graal, lors, quant il aura çou demandé, si sera li Rois Peschiere garis, et sera la pierre rasoldeé del liu de le table reonde et charront li encantement que hui cest jor sont en le terre de Bretagne.'

The points to be remarked here are: the presumptuous act of Perceval is firmly associated with that of Moys; it is accompanied by the splitting of a stone at the Siege Perilous; some sort of restoration of right order is looked for with the asking of the Grail-question by an elect individual. I take this to mean that not even the prospective leader of the New Israel (i.e. the Grail-community) may presume to take his place unless he is in a spiritual state appropriate to the dignity: he has to establish his right by his behaviour at large, and more particularly by his passing the test at the Grail-court. In the light of the evidence provided by *Parzival*, the splitting of the stone at the Siege Perilous may reasonably be inferred to symbolize the break-up of the New Israel, the Mystical Body of Christ, or at least the threat to its integrity constituted by Perceval's rash deed.

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NICHOLAS OF CUSA AS REFORMER:
THE PAPAL LEGATION TO THE GERMANIES,
1451-1452

Donald Sullivan

THE importance of the German Cardinal, Nicholas of Cusa, for fifteenth-century intellectual history is well recognized. His substantial achievements in the areas of theology, philosophy, humanism, political thought and science have been carefully studied and much reassessed during the past two generations.¹ Neglected in this process has been Cusa's distinguished public career as church reformer, most notably in his mid-fifteenth-century journey through the German empire as papal legate.

Writing over forty years after the event, the Benedictine Abbot Trithemius of Sponheim gave a striking evaluation of this mission: "[Cusa] appeared in Germany like an angel of light and of peace in the midst of darkness and disorder. He restored the unity of the church, reaffirmed the prestige of its head and scattered in abundance the seeds of new life."²

The nineteenth-century German Catholic historians Johannes Janssen and Ludwig Pastor confirmed with their great authority what has become the prevailing view of Cusa's legation as a clear success. Writing in 1875 and 1884, respectively, these two scholars quote the Trithemius passage with unqualified approval.³ Johannes Uebinger in

1 On Cusa in general see Edmond Vansteenbergh, *Le cardinal Nicolas de Cues*, (Paris, 1920); also Erich Meuthen, *Nikolaus von Kues*, (Münster, 1964).

2 Trithemius, *De vera studiorum ratione*, fol. 2, (Paris, 1493).

3 J. Janssen, *Geschichte des deutschen Volkes seit dem Ausgang des Mittelalters*, 1., (Freiburg, 1875), 3. Janssen adds (591): "... Nicholas of Cusa inaugurated a new epoch, a fresh impulse of life and reform in the German church." See also L. Pastor, *Geschichte der Päpste*, 2, (Freiburg, 1884), 127, where Cusa's legation is described as "the most glorious of his well-spent life." [English ed., St. Louis, 1949, cited henceforth.]

his pioneering article of 1887 on the non-Lowlands parts of the mission uses the quotation as his summary conclusion.⁴

This view has not gone unchallenged. Most prominent among the revisionists has been Edmond Vansteenbergh, the author of the standard modern biography of Cusa.⁵ Careful qualification is also to be found in studies devoted to special aspects or phases of the legation, as well as in a few general discussions.⁶ The accepted verdict nonetheless remains that of Trithemius and his nineteenth-century partisans. Most recently an eminent English authority on medieval Germany and the papacy has characterized the legation as achieving "remarkable progress," while the most distinguished living Catholic scholar of the Reformation in Germany has seen Cusa's mission as possibly the climax of the whole pre-Reformation reform effort in the empire.⁷ Such views are widely echoed.⁸

Quite apart from the scholarly dispute as to its success or failure, however, the legation can be seen as a significant event in itself, important both for the history of the late medieval church and for studies in the background of the Reformation in Germany. Both as reformer and as thinker Nicholas of Cusa shared to some extent in what has been termed the major themes of late medieval thought: conciliarist, curialist, mystical, scholastic, humanist and *devotio moderna* spirituality.⁹

But more particularly, a review and revaluation of Cusa's mission to the Germanies provides an opportunity to see something of the spiritual condition of the Empire a generation before Luther's birth. In this regard the major issues and episodes of the legation, considered cumulatively and in the light of contemporary documents and recent

4 J. Uebinger, "Kardinallegat Nikolaus Cusanus in Deutschland, 1451-2," *Historisches Jahrbuch*, 7 (1887), 665.

5 Vansteenbergh, *op. cit.*, 121.

6 E.g., G. G. Coulton, *Five Centuries of Religion*, IV: *The Last Days of Medieval Monachism*, (Cambridge, Engl., 1950), 204-206; A. Schröer, "Die Legationsreise des Kardinals N. von Kues in Deutschland und ihre Bedeutung für Westfalen," in: *Dona Westfalica: Festschrift für Georg Schreiber*, (Münster, 1963), 337-338; G. Brom, "Nicolaas van Cusa en de kerkelijke tucht en het Aartsbisdom Utrecht," *Archief voor de Geschiedenis van het Aartsbisdom Utrecht*, 32 (1906), 249. Among the general treatments cf. E. Iserloh in: *Handbook of Church History*, eds. H. Jedin and J. P. Dolan, 4, (N. Y., 1970), 589-590; Willy Andreas, *Deutschland vor der Reformation*, 6th ed., (Stuttgart, 1959), 120-121; Karl Jaspers, *Nikolaus Cusanus*, (Munich, 1964), 203-204; Paul Joachimsen, *Die Reformation als Epoche der deutschen Geschichte*, (Munich, 1951), 48-53.

7 G. Barracough, *The Medieval Papacy*, (N. Y., 1968), 192; Joseph Lortz, *Die Reformation in Deutschland*, (Freiburg, 1948), 62.

8 See, e.g., Philip Hughes, *History of the Church*, 3 (London, 1947), 342; also, C. Hefele & H. Leclercq, *Histoires des conciles*, VII, (Paris, 1916), 1227.

9 Heiko Oberman (ed.) *Forerunners of the Reformation*, (N. Y., 1966), ix.

monographic discussions, reflect a complex of interacting elements worthy of closer examination. Most prominent among these would be papal policy, certain spiritual and political realities within the German church and, finally, the reform ideology, program and personality of Cusa himself. Each of these sets of conditions, causes and motivations must be considered before an appraisal of the overall success of the mission can be made.¹⁰

Cusa's impressive qualifications for the legation were set forth in Nicholas V's bull of 24 December, 1450:

We have thought of you as one born in Germany and possessing the German language We know your virtue and your proven skill in many difficult ecclesiastical affairs. We know you are remarkably well educated and how carefully and diligently you work to spread the faith and the Christian religion. Finally, we know that zeal for the glory of God dominates in you all other sentiments¹¹

Cusa's reform interest had been evident long before 1450. His early education, probably among the lay Brethren of the Common Life in the Netherlands,¹² could well have impressed upon him the concern for simplicity and for the essential inwardness of true spirituality that would characterize his mature reform position. But it was during his advanced education at universities in Germany and Italy, culminating in a canon law doctorate at Padua in 1423, that Cusa became committed to the conciliarist ideal of a reform of the church "in capite et membris," beginning with the pope himself.¹³

This concern is foremost in the young churchman's first major writing, the *De concordantia catholica*, presented to his fellow Basel Council delegates in late 1433.¹⁴ Fundamental to Cusa's outlook and to his ideology of reform is his adherence to the traditional Platonic cosmology so influential among medieval thinkers. This ideal of an or-

10 There are few substantial treatments of Cusa's legation in English. Best are those by Pastor, (English ed.), but now long out of date, and by Coulton, which focuses, however, only on the monastic aspects of the legation.

11 Cod. lat. monacensis 18647, fol. 89, quoted in Vansteenberghe, *op. cit.*, 89.

12 Vansteenberghe, *op. cit.*, 5-6, presents the slender evidence bearing on Cusa's attendance at the Brethren school at Deventer. Most recently Erwin Iserloh in the *Handbook of Church History*, 4, 585, denies, without supporting evidence, that Cusa did so. Regnerus R. Post, *The Modern Devotion*, (Leiden, 1968), 356-357, reaches a negative conclusion on this point by inference. Whatever the facts of Cusa's early education, he almost certainly was exposed to some *devotio moderna* influence at a fairly early stage. (See Vansteenberghe, *op. cit.*, 9).

13 Meuthen, *op. cit.*, 15-16, and Vansteenberghe, *op. cit.*, 9.

14 G. Kallen (ed.), *De concordantia catholica*, 3 vols., (Hamburg, 1959-65). Cited henceforth as DCC.

derly, harmonious and intelligible universe had been Christianized by such Neo-Platonists as the Pseudo-Dionysius who traced elaborate levels of being ascending in parallel, organically-related hierarchies to their source in the triune God of Christianity. Created being therefore descends from God through the angels to man and is mediated throughout the universe ("ab infinito usque ad nihil") in various triadic manifestations.¹⁵

Cusa in the *De concordantia* describes the sensible world as an epiphany, reflecting, in Neo-Platonist terms, the divine principles of cosmic order and goodness:

From the one powerful king of infinite concord flows a sweet and spiritual harmony in different grades and series to all subordinate members ... so that in the one God is all things in all things.¹⁶

This spiritual-cosmic hierarchical ideal of creation stands as model in both the ecclesiastical and secular political spheres of human activity, representing for Cusa the same pre-established patterns of divine order and harmony as in the cosmic realm.¹⁷ It is primarily upon the plight of the Western Christian church and the German state that the young conciliarist focuses in the *De concordantia*.

According to Cusa, the Roman church as the mystical body of Christ finds its proper form, its ultimate model, in Christ from whom the grace necessary for salvation flows through the hierarchical church to the faithful. Christ the God-man bridges in his person the gulf between the mystical and sensible realms of creation.¹⁸

The church's great task is therefore to become more Christiform and thereby less unworthy of receiving and transmitting the divine grace.¹⁹ More particularly, this cosmic standard of Christiformity is mediated through the church by certain lesser forms of the sensible world such as tradition, doctrine and institutions. It is above all the Christian church established through the canons and traditions of the first eight general councils (to A. D. 870) that Cusa identifies as the earthly model of ec-

15 Cf. Paul Sigmund, *Nicholas of Cusa and Medieval Thought*, (Cambridge, Mass., 1963), 48; 56; 123.

16 DCC, I, 1, pp. 31-32.

17 In the ecclesiastical hierarchy, for example, the bishop's office clearly bears the image of the celestial archetype: "... eos, qui divina gratia ad episcopale advocantur officium tamquam imaginem et figuram gerentes caelestium hierarchiarum, id est angelorum ..." (*Ibid.*, I, 6, p. 54).

18 On the profoundly Christocentric character of Cusa's thought see John Dolan, *History of the Reformation*, (N. Y., 1967), 163-64; 181.

19 "... illud corpus fidelium, in quo Christus habitabit Christiforme ecclesia catholica dicitur in qua, sicut Christus, ita et via et veritas semper permanebit." (DCC, II, 34, p. 290).

clesiastical Christiformity.²⁰ Hence, in the *De concordantia* "difformitas" means departure not only from the ultimate ground of Christian life, but especially as this ideal had been best approximated by the Patristic and early medieval church, prior to the rise of the papal monarchy.²¹

In Cusa's view, Western Christian society could function properly only when its institutions and its individual members were able to co-exist in mutual harmony in accordance with the ideal or form of divine authority laid up in heaven and manifested in the sound tradition of the Church Fathers, speaking best through the Greek general councils.

But to Cusa, writing in 1432, both the great Western monarchies, imperial as well as papal, had become virtual caricatures of this image of unity and harmony.²² The church had departed from the concordant mean of Christiformity by allowing an irresponsible and overly centralized papal monarchy to evolve at its head. The Empire, on the other hand, had drifted to the opposite pole of near anarchy through the undermining of power in the office of emperor.²³ In the *De concordantia* Cusa proposed a comprehensive reform program directed not only at the malaise in the late medieval church, but also toward what he regarded as a calamitous political situation in his native land.

The papacy bore prime responsibility, in Cusa's opinion, for the deformities so evident in the Roman church. Popes over the past four centuries had by custom and usage uncanonically arrogated great power to themselves.²⁴ Symptomatic of this abuse is the "novel" doctrine of papal plenitude of power.²⁵ But the worst perversions of ecclesiastical order stemmed, according to Cusa (²⁶), from a papal curia so afflicted with "blind greed" as to tolerate, and even promote, the

20 Franz A. Scharpff, *Der Kardinal und Bischof N. von Kues als Reformator in Kirche, Reichs und Philosophie des 15. Jhdts.* (Tübingen, 1871) 8&71. (Reprint Frankfurt, 1966).

21 References to the basic authority of the Fathers in this sense abound in the *De concordantia*: e. g., "Quaeretur solus Christus ... per vias patrum nostrorum." (III, 40, p. 459); "∞... paternas vias repeteremus" (II, 33, p. 289); "... per sanctos patres conservabatur." (II, 34, p. 307).

22 Cusa spoke of the church in near apocalyptic terms: "... videmus ecclesiam numquam ad eum casum devenisse in quo nunc est." (DDC, I, 12, p. 72). Of the empire he wrote: "... mortalis morbus imperium Germanicum invasit, cui nisi subito solutari antidoto subveniatur, mors indubie sequetur." (III, 32, p. 438).

23 On the church: "Digressio ... a forma per patres nobis tradita difformitatem in ecclesia causavit quoniam non puique recte usus et sua potestate." (II, 26, p. 250). On the Empire cf. III, 30, p. 436.

24 "Et videmus quantum Romanus pontifex ultra sacras antiquas observationes ex usu et consuetudine subiectionalis oboedientiae hodie acquisivit." (II, 12, pp. 145-146).

25 "Videbitur fortasse aliquibus novum istud qui legerunt scripta Romanorum pontificum quomodo plenitudo potestatis sit apud Romanum pontificem." (II, 13, pp. 146-47).

26 "Praeterea canones radices habent in naturali iure contra quod etiam princeps potestatem non habet ..." (II, 14, p. 164).

grossly overcentralized financial and judicial systems evident in the curia itself, the absentee and secularized prelates in the provinces, and the scandal of simony and concubinage among clergy at virtually all levels.²⁷

To counter such abuses of curial power Cusa urged the restructuring of the papal monarchy on conciliarist principles, beginning with the papacy itself.²⁸ The *Basel Council* should decree that the pope would be henceforth elected on merit by a college of cardinals itself comprised of men chosen as representatives by archbishops elected in turn by their bishops, thus down the various levels of the clerical hierarchy. This reconstituted papacy and college of cardinals would then become a permanent council-in-miniature, the *prima radix* of a thorough renovation of the Western Christian church.²⁹

As the main instrument of the conciliar reform movement, the papacy would, in effect, carry forward the program outlined a generation before Basel at the Council of Constance, namely, the renewal of religious life, the eradication of heresy, and the mediation of peace within Christendom.³⁰ This new system of able church leaders and councils functioning harmoniously at each level could then readily deal with local reform problems through visitations, as well as by compliance with canons relating to the church's material affairs.³¹

Cusa's basic concern in the *De concordantia* is obviously with the political and legal aspects of church reform. The papacy must be brought again within the genuine canonical tradition rooted in the supremacy of the general councils. He is convinced that the necessary changes will come only through a restored ecclesiastical hierarchy, buttressed by the canon law as especially formulated by the early general councils and codified above all in Gratian's *Decretum*.

Yet Cusa's reform program is not inflexibly conservative. He would achieve his goal of renovating the church's constitution by modern conciliarist means such as the principles of consent and of equity, or *epeiikeia*. It was this latter concept which provided emergency powers to authorities such as the pope in temporarily suspending canon law in the

²⁷ DCC, II, 30-31, pp. 268-72; II, 33, p. 289.

²⁸ Cusa clearly sees the issue as one of proper leadership such as could only come from the administrative head of the church: "... dum caput aegrotat, cetera membra dolent" (II, 27, p. 254).

²⁹ DCC II, 18, pp. 200-203.

³⁰ *Ibid.*, II, 20, p. 223.

³¹ "Si ... electiones pure eo ordine ... fierent et episcopi ... bonos curatos darent ... et ecclesias gravamine visitarent, et bonis ecclesiae uterentur juxta canonum sanctiones ... et deinceps de divino cultu concordantia per totam provinciam esset." (II, 33, p. 286).

public interest.³² The pope was likewise conceded the right to interpret canon law in the same spirit.³³

Turning to imperial reform, Cusa advocated similar measures. He observed that hierarchical political order had collapsed in the German empire, [*desinet heirarchus ordo*], and with it all hope of attaining the peace and justice essential to the proper functioning of a Christian society. More precisely, the imperial power, the office of emperor, had become a nullity. Not surprisingly, laws had lost their vigor, crimes were committed with impunity throughout the empire, and the public welfare [*res publica*] was ignored.³⁴ This *perversa ordo*, created by the blind self-interest of the feudal princes, had to be reversed, and a true imperial authority restored [*resuscetur*], failing which Cusa predicts overwhelming disaster [*universorum destructio*] for the Germanies.³⁵

The remedy for this predicament lies for Cusa in a return to the tradition and constitution of the Empire in its glory, the “*iam tritas et expertas antiquas vias*” as especially seen in the pre-feudal Ottonian era. Here Cusa finds emperors able to govern, the laws observed and enforced and a church that functioned apolitically under a critical imperial eye.³⁶

The immediate institutional means to any recovery of good Christian government in the Empire would be annual general councils where elected representatives from throughout the Germanies could meet to reform the imperial constitution, then select an emperor on ability and, finally, under his strong guidance turn to meet the pressing problems of order, peace and justice.³⁷ A tax-supported imperial army would not only balance the divisive threat of local armies under the territorial

32 “...non tamen negare debet quia Romanus pontifex epikeia uti possit.” (II, 20, p. 224); also: “...propter necessitatem aut evidentem utilitatem papa dispensare possit contra quodcumque statutum” (II, 20, pp. 227-28). On *epikeia* as a general conciliarist principle, see Sigmund, *op. cit.*, 180 & 241.

33 [The pope] ...dispensare et interpretari habeat [particular canons] ob utilitatem et necessitatem in aedificationem ecclesiae, et solum ad illum finem.” (II, 20, p. 206).

34 *Ibid.*, III, 29, p. 434; III, 31, p. 437.

35 *Ibid.*, III, 30, p. 435. He develops the point to a grim conclusion: “...ubi non est ordo, est confusio, et ubi confusio, ibi nullus tutus. Et sic nobilibus inter se altercantibus ius omne in armis propriis quaerentes surgent populares. Quoniam sicut principes imperium devorant, ita populares principes.” (III, 30, p. 436).

36 See especially III, chs. 26-28, pp. 426-33.

37 The essentially conservative character of Cusa's approach here is evident in his insistence that no new legislation is required of the annual imperial councils. It is only necessary to revive the Ottonian legal tradition and enforce its best features: “Non deficiunt canones, sed executiones.” (II, 33, p. 289).

princes of the Empire, but could also serve to further spiritual reform there.³⁸

It is clear that Cusa regards the twin hierarchies of church and Empire as related, not least in the moral aspects of reform. It is, Cusa writes, bad spiritual customs and practices in the Empire which foster sin [*peccata nutrientes*], and which, because of their deep-set character, require the close cooperation of secular and ecclesiastical powers to eradicate. He calls upon the Emperor Sigismund, presiding at the *Basel Council*, actively to assist the Council in confronting the range of spiritual and ecclesiastical problems in the Empire.³⁹

In sum, a strong, independent emperor and his council, corresponding to a dedicated pope with a reformed curia, would join to bring about the pervasive renewal of spiritual and political life which Cusa envisioned. Resting on a foundation of popular consent, the papacy and the Empire could readily follow another conciliar method for achieving ongoing reform, namely by providing for regular councils and synods at all levels within the respective hierarchies.⁴⁰ The twin earthly models of this broad reform program were the Church and State of the pre-Hildebrandine era.

The *De concordantia* can be seen as both a tribute to a vanishing ideal of Christian harmony and a forceful plea to resurrect this ideal by joint official action of the great powers of medieval Western Christendom against a host of ills in church, Empire and among the Christian laity at large. Set in the broader frame of the development of the Christian idea of reform, Cusa's thought is clearly indebted to the tradition of Innocent III and Thomas Aquinas, who first applied reform beyond the church in the narrow sense to Christendom at large, and in its political, socio-economic and cultural aspects.⁴¹ The *De concordantia* had little immediate effect, but it does indicate something of Cusa's reform ideology and commitment at the outset of his career.

Hardly more than three years after completing the *De concordantia*, however, Cusa permanently departed the conciliar camp for service with the pope. Although his motives have been much disputed, he

38 DCC, III, 32, p. 438; III, 33, p. 439; III, 4, pp. 436 & 438; also III, 39, p. 456: "... per publicum exercitum omnis tyrannia eliminaretur ab imperio."

39 Cusa sees the solution primarily in the restoration of canon law. Let emperor and council, viewing the "... diminutionem divini cultus et morum deformitatem in omni statu ... repeteret sacros canones antiquos ac sanctissimas priscorum observantias [without which] pax ecclesiae servari nequit nec religio augmentari" (III, 40, p. 459).

40 See Sigismund, *op. cit.*, 206.

41 Cf. Gerhart Ladner, *The Idea of Reform*, (N. Y., 1967), 423-24.

seems by 1437 genuinely to have despaired of any effective reform leadership or reunion with the Eastern church forthcoming from a Basel assembly divided increasingly by national and personal rivalries.⁴² He apparently concluded that the papacy was, for better or worse, the most promising means by which the problems of unity and reform described in the *De concordantia* could be taken in hand.⁴³ It is his subsequent service as Eugene IV's legate in the Empire that is alluded to in the quotation from Nicholas V's bull.

Cusa served more than a decade as advocate of the papal cause among the princes and imperial diets in Germany. His contributions to the 1448 Concordat of Vienna, which sealed both imperial adherence to Rome and the fate of a rump assembly at Basel, was rewarded with the cardinalate.⁴⁴ But if by 1450 Cardinal Cusa's earlier aversion to an unchecked papal monarchy had greatly moderated,⁴⁵ there is no evidence that his zeal for reform had abated. He could have seen in the elevation in 1447 of Niccolo Parentucelli as Nicholas V not only the ascendancy of an old associate from his Basel and papal diplomacy periods, but a man, like himself, set from the beginning on a policy of extensive reform, without the direct competition of Baselite conciliarism to deter him.⁴⁶ It would not have been difficult for Cusa to find in the humanist Nicholas V many of the qualities of the "dedicated pope" idealized in the *De concordantia* seventeen years before.

Pope Nicholas followed the jubilee tradition in proclaiming 1450 as a year of pilgrimage to Rome and of extensive grants of indulgence to pilgrims and native Romans upon the fulfillment of certain conditions.⁴⁷ Then, to extend the benefits of the jubilee indulgence beyond Rome

42 Cusa had justified withdrawal from the council on the principle that the validity of a conciliar assembly depended on general agreement among the delegates. Conversely, "... ubi dissensio, ibi non est concilium." (II, 9, p. 137).

43 For contrasting views on this point see Vansteenberghe, *op. cit.*, 58-61, and M. Watanabe, "The Episcopal Election of 1430 in Trier and Nicholas of Cusa," *Church History*, 29 (1970), 315. Paul Sigmund, *op. cit.*, stresses that Cusa had always been a moderate conciliarist, consistently according the papacy a prominent position in his theory.

44 Vansteenberghe, *op. cit.*, 66-84.

45 By 1442 Cusa seems to have become fully convinced of papal supremacy within the constitution of the church. (Cf. Sigmund, *op. cit.*, 265-66 & 280). Watanabe sees Cusa's pro-papal speech at the Frankfurt diet in June 1442 as the definitive point in his turn from consent to authority as the guiding principle in ecclesiastical politics. (Cf. M. Watanabe, "Authority and Consent in Church Government ...", *Journal of the History of Ideas*, 33 (1972), 224).

46 On the pope's policies cf. J. B. Toews, "Formative Forces in the Pontificate of Nicholas V," *Catholic Historical Review*, 54 (1968), 261-84.

47 Principal among these, valid confession, the visitation of certain local churches and, if possible, an offering.

and, not incidentally, the effective radius of the papal authority, the pope dispatched four legates northward during the years 1450-1451. Each of them was charged with dispensing the jubilee indulgence and with carrying out such reforms as were specified in their individual commissions.

In addition to Cusa's embassy to the Empire, two other cardinals, Bessarion and D'Estouteville, were sent to Bologna and France, respectively. The renowned Franciscan preacher, Juan de Capistrano, was entrusted with a mission to Eastern Europe, charged especially with reconciling the Hussites with Rome.⁴⁸ But Cusa's commission proved the most extensive of the four, both in area to be covered and in scope of authority granted him as legate.

The formal authorization establishing Cusa's powers within the Empire came in bulls of 24 and 29 December, 1450. The former document directed the cardinal to travel through "Germany, Bohemia and the countries adjacent" with three main purposes: to reform religious life, mediate disputes and dispense the jubilee indulgence. In respect to religious life he was given "... all the means to reform the churches, eradicate abuses, make the sacred canons observed and render the people and clergy agreeable to God."⁴⁹ Among the means would be the issuance of reform decrees at local synods as well as preaching in the German vernacular.

The bull of 29 December applied primarily to the clergy. It assigned Cusa the highest ambassadorial rank of *legatus a latere* for "... the reformation of individual churches ... monasteries ... priories ... secular as well as regular, exempt and non-exempt alike, and for extirpating heresies and punishing heretics."⁵⁰ In extreme cases the secular power could be invoked. But the language of these commissions is not as sweeping as it might seem. Cusa is enjoined, for example, to "use these [legatine] powers with such circumspection and such prudence that one can hope for a fruitful result All that you do in this way we will hold as valid and will give the force of law to your just decisions."⁵¹ Through such words as "circumspection," "prudence," and "just decisions," Nicholas V is clearly reserving his right to modify or revoke his legate's decrees, as might be necessary.

Most significantly, however, Cusa's reform commission, extending as

48 Pastor, *op. cit.*, II, 71-72.

49 Cod. lat. monacensis, fol. 89, cited in Vansteenberghe, *op. cit.*, 90.

50 Text in O. Raynaldus (ed.), *Annales ecclesiastici*, 28 (Bar-le-Duc, 1878), an. 1450, # 10.

51 Bull of December 24th.

it did to a wide variety of ecclesiastical institutions, did not carry reforming power over the German prelates. Specifically, the cardinal's apostolic authority permitted the reform of the church "in capite *exceptis archiepiscopis et episcopis quam in membris*."⁵² Pope Nicholas was apparently too uncertain of his position in Germany and, at the same time, too politically aware to risk alienating again those many German prelates lately so indifferent or inimical to the papal restoration. Though the help of the higher clergy was indispensable to any favorable outcome of the legation, their exemption from Cusa's authority would prove a severe limitation. There were other serious restrictions in the commission, as will be seen.

Nonetheless, in a general sense, the legation to Germany could well have seemed the realization of Cusa's most cherished hopes, especially since the papal commission corresponded closely with reform goals he had set forth, directly or implicitly, in the *De concordantia*: the reestablishment of social peace, the enforcement of canon law, the rectifying of doctrinal errors, and the deepening of moral commitment among clergy and laity alike.

The means to these ends were also very similar, that is, the use of provincial councils, of monastic visitations and of local sanctions, including the secular power. And even though the impact of Cusa's earlier reform recommendations had been minimal, the ambition and the challenge remained. Also, the cardinal-legate was fresh from successful negotiations with the German princes. What can be discerned on the eve of his departure for the North is a mission that promised much, both by reason of the reform atmosphere in the papal court and because of the unique qualifications of the cardinal himself.⁵³

The expedition departed Rome on 31 December, 1450, travelling without display or fanfare.⁵⁴ By early January it had begun its work in the Salzburg church province, the heartland of Habsburg Austria. During the next fifteen months (January, 1451, through March, 1452), the cardinal and his party would cover some 2800 miles in making over

52 *Loc. cit.* Emphasis added. The slogan of the moribund conciliarist movement receives here an interesting twist.

53 Further commissions of December 29th directed Cusa to mediate disputes between the Bohemian Hussites and Rome, and between the Cologne archbishop and the von Hoya clan in Westphalia. The journey to Bohemia could not be undertaken because of political strife. (Cf. Meuthen, *op. cit.*, 93). Original texts in Raynaldus, *op. cit.*, an. 1450, # 10.

54 According to a contemporary account Cusa rode muleback, "humiliter insidens" and accompanied by only thirty people in contrast to the several hundred who often attended travelling cardinals. (Cf. Raynaldus, *op. cit.*, an. 1451, # 10).

eighty visitations lasting from less than a day up to two weeks. At its greatest extent the legation ranged in a broad semicircle through Austria and Germany to the North Sea port of Egmont in the Lowlands before bending back into Germany for major stops in the middle Rhineland archbishoprics of Mainz and Cologne.⁵⁵

Many of the characteristic features of Cusa's reform style and practice emerged during his three months in the Salzburg province. First came the summoning, in concert with the local archbishop, of a provincial synod at which the jubilee indulgence could be declared, certain reform decrees promulgated and the support of the local clergy enlisted. The same basic procedure was followed in three other German church provinces visited, Magdeburg, Mainz and Cologne. Trier was a special case, as will be noted, and the Bremen archdiocese was apparently too far even for the zealous cardinal-legate to reach.

The Salzburg synod convened on 3 February, 1451, with Cusa presiding alongside the Archbishop Frederick von Emmerberg. This church province, reputedly the wealthiest in the Germanies, included Bavaria as well as Austria, and embraced some eight suffragan bishoprics. One of these, Tyrolean Brixen, had been assigned to Cusa only the month previous by Pope Nicholas.⁵⁶

Here at the start one sees something of the curious ambiguity that would so often plague Cusa's reform endeavors. Behind the fulsome welcoming speech of the provincial chancellor and the tepid support of the Emperor Frederick III,⁵⁷ the legate encountered certain formidable political realities. In effect his authority for the duration of the mission was raised above that of his new archdiocesan superior. The confusion was not alone to those concerned with the niceties of canon law. Further complicating the legate's position was the fact that the archbishop and at least two of his suffragan bishops had been among the staunchest supporters of the Basel Council to the very end, less than two years since.⁵⁸

Such considerations probably contributed to a certain caution in the legate. In Salzburg province he promulgated only four reform decrees of some thirteen he would eventually issue over the course of the

⁵⁵ For Cusa's legation itinerary see Josef Koch, *Nikolaus von Kues und seine Umwelt*, (Heidelberg, 1948), 116-152. (Henceforth cited as *Umwelt*).

⁵⁶ On the controversy engendered by Cusa's appointment to the Brixen bishopric see P. Tillinghast, "Nicholas of Cusa vs. Sigmund of Habsburg ...," *Church History*, 36 (1967), 371-390.

⁵⁷ See the emperor's terse memorandum from Wiener Neustadt in: J. Chmel (ed.), *Regesti Frederici*, 4 (Vienna, 1859), p. 276, # 2701.

⁵⁸ The bishops of Passau and Regensburg. (Cf. Coulton, *op. cit.*, IV, 423).

legation. Even here he confined himself mainly to matters of monastic reform. His first major decree (8 February, 1451) was directed at the great monastic orders of the archdiocese. The language is forthright: "Many among the clergy neglect the care of their souls, have bad morals and lead a dissolute life."⁵⁹

Monks were to return to full observance of their respective rules within a year or suffer the loss of all privileges and dispensations. The local hierarchy was charged with enforcing the terms of the decree, along with representatives of the three most important monastic orders.

Cusa's instructions to appointed Benedictine, Cistercian and Augustinian deputies (nine monks in all) indicate more precisely the character of the reform he sought. The congregational rule was to be enforced in its essentials, especially with regard to the fundamental vows of poverty, chastity and obedience. None was to be exempt from these vows, regardless of previous dispensations granted. Recalcitrant monks were to be excommunicated after a year had elapsed and their institution would remain under interdict until needed reform was made. Secular help could be invoked.⁶⁰

But the legate was also aware, perhaps from his *devotio moderna* background, that external constraints and force were not the final answer to enduring monastic reform. His instructions to the visitors express a tone and direction of reform not evident in the impersonal legalistic and political context of the *De concordantia catholica*. True personal renewal had to grow from within. In his words:

Work to introduce, above all, charity and love of divine worship. Make those whom you contact understand why they are religious Persuade them that God's service is easy and his yoke sweet for those who will accept ... it ... Repeat your admonitions.⁶¹

Personal example is of prime importance in the visitors:

Each of you should take with you only one chaplain and a single servant Content yourselves with the food of the monastery visited [and] accept no presents so that it be understood that you are visitors truly apostolic, desiring nothing but the salvation of those whom you visit.⁶²

Most is known of the Benedictine visitation because of a journal kept

⁵⁹ Text in Ignaz Zibermayr, *Die Legation des Kard. Nikolaus Cusanus und die Ordensreform in der Kirchenprovinz Salzburg*, (Münster, 1914), 104-107.

⁶⁰ *Ibid.*, 106-107.

⁶¹ *Ibid.*, 112.

⁶² *Loc. cit.*

by one of the visitors, the Abbot Martin von Senging of the Vienna Schottenkloster monastery. Martin relates how, with two colleagues of the reformed Melk congregation of Benedictines, he visited in Cusa's name some fifty two establishments in all eight dioceses of the Salzburg province.⁶³ The problems and conditions they found compare closely with those met elsewhere by Cusa himself. Remarkable among these was the extent to which the local nobility dominated the monasteries and convents.⁶⁴

Von Senging's journal and visitation records made by his companions indicate, beyond the many obstacles and disappointments, a modest success for the Benedictine visitations. Following carefully the cardinal's advice to use persuasion instead of threats and intimidation, the three Melk reformers managed to restore, at least temporarily, the observance of the Benedictine Rule in a majority of the houses visited. Several abbots found unfit were induced to resign in favor of men willing to accept and maintain reforms.⁶⁵

But further attempts of the deputies to establish annual visitations of each Benedictine institution in the province proved unavailing. Nor did parallel reform measures among the other Salzburg monastic orders leave much trace. In fact many monasteries made successful appeals to Rome against Cusa's monastic decree.⁶⁶ The weak support of the Salzburg archbishop and the near apathy of the emperor in this matter should again be mentioned. A modern authority has commented ruefully that "the [Emperor Frederick III] was not the man to press reform."⁶⁷

The remaining three decrees promulgated by the legate through the Salzburg synod can be briefly summarized. A decree of 8 February instructs priests of the archdiocese to add at Sunday Mass a prayer invoking God's protection of the pope and his bishops. Since the cardinal issued this injunction in all but one of the church provinces visited, it can be seen to bear the double weight of religion and church politics,

63 *Diarium abbatis Martini*, in: B. Pez (ed.) *Scriptores rerum austriacarum*, 2, (Leipzig, 1725), 623-75. On the origins and early development of the Melk congregation cf. U. Bèliere, "La réforme de Melk au xv^e siècle," *Revue Bénédictine*, 12 (1895), 288-309.

64 Such institutions often served as sinecures (Adelsspitaler) for the younger sons and unmarried daughters of the feudal aristocracy. On the feudal nobility in the German church see Alois Schulte, *Der Adel und die deutsche Kirche im Mittelalter*, 3rd ed., (Darmstadt, 1958).

65 Bèliere, *op. cit.*, 297. For text of additional visitation records see I. Zibermayr (ed.), "Johannes Schlitpachers Aufzeichnungen als Visitor der Benediktinerklöster in der Salzburger Kirchenprovinz," *Mitteilungen des Instituts für österreichischen Geschichtsforschung*, 30 (1909), 268-79.

66 Zibermayr, *Die Legation*, 74.

67 *Ibid.*, 79.

serving as a weekly reminder of Rome's spiritual supremacy in regions still much affected by conciliarist distrust of the papacy. The integrity of the ecclesiastical hierarchy had to be restored in its full earthly range.

A decree of 10 February was directed at financial malpractice in the conferral of benefices. The offence involved a specific form of simony by which lay patrons would appoint candidates to vacant church positions at a nominal fixed salary in order to assure the patron the balance. Cusa threatened future violators with excommunication, interdict of their territory, and the forfeit of their property to the local bishop.⁶⁸ Although he repeated this proscription at subsequent synods, it was not demonstrably effective.⁶⁹ The document nonetheless expresses eloquently the Augustinian-Gregorian ideal of the church as an independent, preeminently spiritual institution.

The legate's final decree at Salzburg became one of the more controversial aspects of his reform career. Jews within the archdiocese were forbidden henceforth to lend money to Christians, even as they were required to wear distinctive markings on their outer clothing.⁷⁰ Although the *Judendekret* is officially directed only at usurious financial transactions, there had been in 1450 a resurgence of anti-Semitism in many parts of Europe.⁷¹ If Cusa was influenced by this emotional climate, it would be quite contrary to his later advocacy of toleration and mutual understanding among the great religions of the world.⁷² But the foremost modern authority on the legation has argued that the *Judendekret* stemmed not from any personal distaste or racial animosity toward the Jews, rather from the cardinal's deep concern for the spiritual welfare of Christians victimized by the violation of laws against usury.⁷³ This does not, in any event, free the act itself of a certain narrowness and insensitivity.

The *Judendekret* proved quite unenforceable in practice, not only in Salzburg province but in the areas of Magdeburg, Hildesheim, Minden and Mainz where Cusa again published it. A main reason is that

68 Text in *ibid.*, 108-109.

69 *Ibid.*, 9, note.

70 Text in Würdtwein (ed.), *Nova subsidia diplomatica*, 11, (Heidelberg, 1788), 389-91. On the tradition of requiring special marks on the clothing of Jews, cf. Edward A. Synan, *The Popes and the Jews in the Middle Ages*, (N. Y., 1967), 105 & 235.

71 Vansteenberghe, *op. cit.*, 183.

72 Cf. especially his treatise of 1453, *De pace fidei* eds, R. Klibansky & H. Bascour, in: *Medieval and Renaissance Studies*, suppl. # 3, (London, 1956).

73 Josef Koch, *Der deutsche Kardinal in deutschen Landen*, (Trier, 1964), p. 10, n. 6: "Nikolaus von Kues braucht nicht gegen den Vorwurf des Antisemitismus in Schutz genommen zu werden. ... sie hat aber mit Rassenhass nichts zu tun"

economic considerations were simply too strong. Jewish moneylenders were too important a source of ready funds to be penalized as the legate demanded. A combined appeal by the Emperor Frederick, the Salzburg archbishop and the Jews of Nürnberg (in Salzburg province) proved decisive in the rescinding of the *Judendekret* by Pope Nicholas in October, 1453.⁷⁴

By late March Cusa was preaching the pope's jubilee indulgence in the Bavarian regions of the archdiocese.⁷⁵ At Eichstätt he demonstrated his skills as mediator by settling a long-standing dispute between the local bishop and his cathedral clergy. Reform decrees passed by a 1447 Eichstätt synod under Bishop von Eich had been virtually ignored since by cathedral canons who invoked customary practice supported by Scripture itself to justify their refusal to comply. The cathedral dean argued that tradition sanctioned the supremacy of his office over that of the bishop in matters relating to cathedral reform. A fellow canon had cited half facetiously the Biblical passage which warned that "no man having drunk old wine desires the new right away."⁷⁶ Thus the bishop was effectively excluded from the administration of his own diocesan cathedral.

Cusa, having been advised by papal letter to end the impasse, convened a diocesan synod upon his arrival and, with the bishop's approval, assumed jurisdiction of the diocese. His solution was in the nature of a compromise. After annulling all standing diocesan statutes and customary laws, he reconfirmed the leading decrees of the abortive 1447 synod, prescribing that they applied to all diocesan clergy without exception. In a second edict, however, the legate specified that the cathedral dean should retain the right to correct the clergy of the city, but only in those cases not reserved to the bishop. The supreme authority in the disciplining of clerical offenders therefore lay with the bishop, who could assume direct control should the dean fail in this task. The penalty for non-compliance was suspension.⁷⁷

This episode presents a frequent problem of the legation, the oppressive weight of local custom and tradition in blocking or obstructing reform. It also shows Cusa's tendency to seek compromise settlements where possible. The cathedral chapter appealed his decision to the

74 Uebinger, *op. cit.*, 639.

75 Twenty-seven such grants are known for the Bavarian towns of Munich, Freising, Regensburg and Nürnberg. (Koch, *Umwelt*, 119).

76 From letter of Bishop von Eich to Cusa in 1450, quoted in Coulton, *op. cit.*, IV, 328.

77 Uebinger, *op. cit.*, 640.

pope, who sustained his legate's ordinances and thereby assured for some time the formal obedience, at least, of the unruly canons of Eichstätt.⁷⁸

At Nürnberg Cusa displayed another facet of his reform program, the vernacular sermon. During his two weeks there he preached at least a half dozen times before large crowds.⁷⁹ His themes, primarily from the New Testament and especially on the person and works of Christ, were presented with a simple directness that a peasant could grasp. Standard sermon fare of the time such as saints' legends and Constantine's leprosy⁸⁰ was studiously avoided. The sight of a Roman cardinal speaking to Germans in their own language was remarkable enough. The frequency of his preaching indicates his regard for the vernacular sermon as a paramount means of reaching the German laity, even as he viewed the provincial and diocesan synods and the monastic visitations as his prime ways of contacting the clergy.

The preaching of the jubilee indulgence at Nürnberg and elsewhere gave Cusa an excellent point of departure to matters of more fundamental importance to his program. Among his sermon targets was popular superstition, as well as the related failure of the people to value properly the core of the faith, the sacraments. As Cusa pointed out, confession and the Eucharist available locally to the faithful conferred graces and spiritual benefits both superior and more permanent than anything found in such extraordinary devices as the jubilee indulgence or the long pilgrimage.⁸¹ If, in sum, it was Cusa's intention to nurture a proper balance of spiritual values among the German people, the vernacular sermon was the crucial medium.⁸²

By April 30th Cusa was convening a synod in the Franconian see of Bamberg, joined in loose affiliation with the Salzburg province. He was politely, if coolly, received by an old antagonist, Bishop Anton von

78 Bull of 26 September, 1452. Cf. Vansteenberghe, *op. cit.*, 126.

79 Koch, *Umwelt*, 121-22. During the legation Cusa preached on at least fifty-two occasions. The number is almost certainly larger. The extant sermons will be published in vol. XVII of the Heidelberg edition of the *Opera*. The 1565 Basel edition of the *Opera* (ed. H. Petri), contains brief extracts of twenty-six sermons delivered by Cusa on the legation: fols. 380-82; 468-78.

80 B. Gröne, "Zustand der Kirche Deutschlands vor der Reformation," *Theologische Quartalschrift*, 44 (1862), 98.

81 Koch, *Der deutsche Kard.*, 16-17. Cusa continually stressed in his sermons the orthodox teaching on indulgences, rejecting the view that the graces deriving therefrom could remit the eternal guilt and punishment incurred by a sin. This doctrine had been much misunderstood. (Cf. Vansteenberghe, 95).

82 See e.g., Cusa's "Lord's Prayer" address, delivered at Nürnberg March 13th: J. Koch, et al., (eds.), *Die Auslegung des Vaterunsers in vier Predigten: Cusamus-Texte 1* (Heidelberg, 1940).

Rotenhan.⁸³ After endorsing the four decrees passed at Salzburg, the Bamberg council approved the promulgation of a new edict from the cardinal's hand. This decree was in two parts, the first explaining the proper use of the Eucharist, the second prohibiting the formation of new lay brotherhoods in the diocese.⁸⁴

Since it was Cusa's contention that excessive popular familiarity with the sacred host had come through repeated public displays and processions, he specified that the sacrament was hereafter to be displayed in a monstrance only on a few special occasions, such as major feast days, and then only with the greatest solemnity and reverence.⁸⁵ The provisions of the decree accord closely with canon law, but they have here become an organic part of the legate's reform program, aimed at fostering, through the Eucharist, the inner spiritual life of the laity.⁸⁶

Similarly indicative of Cusa's regard for the proper priorities in Christian doctrine and practice is that part of the decree dealing with lay brotherhoods. Cusa feared that these societies, operating unchecked, could easily become so many new sects in which the doctrine, ritual and organization of the Roman church would play an ever decreasing part. While acknowledging the spiritual element in the lay brotherhoods, the legate warned how readily, on the one hand, this could be overshadowed by merely social aims or, conversely, how it could drift into outright heresy. He summarized his case succinctly: "The new brotherhoods must be prevented rather than encouraged. They do not contribute to Christian unity and do not produce the fruits which have been promised of them."⁸⁷

This decree was re-issued at Magdeburg, Minden and Mainz, but the authorities are agreed that it failed.⁸⁸ The phenomenon of the lay

83 In 1441 this determined conciliarist prelate had in fact prevented Cusa's appearance before an assembly of German princes in Würzburg where Cusa, as papal representative, had sought to win them from their neutralist positions. But the conciliar movement had virtually dissolved in the decade since and von Rotenhan now accepted, at least formally, the legate's authority.

84 Published in Würdtwein, *op. cit.*, 395-97.

85 *Ibid.*, 395.

86 Gerhart Ladner has observed (*op. cit.*, 32) that in the writings of the Church Fathers the Eucharist was at least implicitly regarded as the "exemplary cause and vivifying center of Christian reform." Cusa preached often on the devoutness with which the sacrament should be received, most notably in a Brixen sermon of 1455 remarkable for its vivid renewal language: "Renovari oportet mente et spiritu et renasci. Et haec renascentia seu renovatio interioris hominis sit fide per lotionem exterioris hominis in sacramento" (*Opera*, Basel ed., fol. 510).

87 Würdtwein, *op. cit.*, 396.

88 See Vansteenberghe, *op. cit.*, 101. Andreas, *op. cit.*, 146, comments that, despite Cusa's efforts "gegen die Gründung neuer Bruderschaften ... die Zeitströmung war nicht aufzuhalten. Zu Ende des Jahrhunderts war die Bewegung eher im Zunehmen als im Abflauen."

brotherhoods strongly suggests that the church was not meeting the spiritual needs of a growing number of the faithful, particularly among the middle class, which contributed a large majority of the brotherhood members. The cardinal-legate perceived the problem, but he was unable to come to grips with it.

A day's ride west of Bamberg in the Franconian diocese of Würzburg Cusa entered an area still within the Salzburg orbit, though it belonged nominally to the province of Mainz. The major event of his two weeks in Würzburg was his involvement in a general convocation of Benedictine abbots from throughout the Mainz archdiocese. To this body of approximately seventy abbots assembled in the city's cathedral Cusa presented the decree on monastic reform released earlier in Salzburg. The reaction, according to Trithemius' near-contemporary account, was remarkable:

... all the abbots [came] to the high altar ... and vowed, placing their hands on those of the legate ... to accept reform in their chapters within the year Those substituting for absent abbots took a similar oath upon the souls of the absentees.⁸⁹

To supervise the honoring of the various pledges Cusa appointed Johannes Hagen, abbot of Würzburg and head of the renowned Bursfeld reform congregation. Results, however, do not appear to have been significant.⁹⁰

By May 25th Cusa and his party had spent over four months and had travelled some seven hundred miles in visiting fifteen urban centers in the Salzburg provincial area. The diocesan synod had been, and would remain, his basic instrument for releasing decrees. Of the various Salzburg edicts, that on monastic reform had the most obvious impact, mainly because it was sustained after the legate's departure by a vigorous local group, the Melk congregation of Benedictines. But this decree was almost certainly less effective among the seventy Benedictine abbots who had accepted it on oath from Cusa at Würzburg. The decrees regulating the Jews and the lay brotherhoods had little apparent impact anywhere. In addition to this mixed performance of Cusa as monastic reformer and defender of the faithful against corruption by

89 Trithemius, *Chronicon Hirsaugensis*, II, 423.

90 Pastor and Coulton differ sharply in their interpretations. Pastor, *op. cit.*, II, 116, contends that " ... there can be no doubt that the Würzburg synod produced excellent fruit." His secondary source Johann Grube, *Johann Busch*, (Freiburg, 1881), 130-131, gives no evidence for the assertion. Coulton, *op. cit.*, IV, 406, cites the observation of Trithemius himself that "all the abbots at Würzburg took the oath but few fulfilled it during the year; thus many perjured themselves."

Jewish merchants, there is (as at Eichstätt and Nürnberg) impressive evidence of the preacher and the mediator.

Although Cusa did not articulate a systematic reform ideology during the legation, certain principles and methods expressed in the *De concordantia* found further life in various decrees, letters, sermons and instructions to assistants. If the canon lawyer's regard for proper order, structure and sound doctrine is clear, for example, in Cusa's condemnation of the lay brotherhoods, likewise evident is the influence of the mystical *devotio moderna* current in his stress upon the profoundly inward and personal character of true spiritual conversion, based always upon the divine model of Christ Himself.

The Salzburg phase of the legation had also demonstrated how closely the legate's effectiveness depended upon more tangible considerations such as the good will of the provincial hierarchy, especially the archbishop. Cusa's task in the Salzburg province, as in other areas later, had been largely that of trying to circumvent, without openly alienating, the bishops of a German church so recently either pro-Baselite or neutral in the struggle between pope and council. His position was not helped by the curious double character of his relationship with the Salzburg archbishop — both subordinate and superior in respects not fully defined. Nor were his middle class origins calculated to win him ready acceptance among church leaders drawn mainly from a feudal nobility customarily disdainful of lesser classes.⁹¹ As Cusa's party moved into Northern Germany in late May, 1451, the legation could be judged only moderately successful to this point and considerably short of the legate's aspirations.

On June 13th the band of reformers entered Magdeburg, capital of a church province that encompassed most of Northeast Germany. Within the week the cardinal-legate convened a general synod, presiding jointly with the Archbishop Frederick von Beichlingen, a prelate definitely committed to the central purposes of Cusa's mission.⁹² But only two of five suffragan bishops of the province attended personally, two other dioceses sending only deputies (who were refused admittance) and the

91 Younger sons of the nobility were especially prominent in the urban churches and controlled virtually all the cathedral chapters. Zibermayr, *Die Legation*, 87, has noted the extent of the problem in the monasteries of Salzburg province: "... der adelige Charakter vieler Stiftungen ... machten eine erfolgreiche Reformarbeit fast unmöglich." Aeneas Sylvius relates the curious example of a chapter in Passau which refused obedience to Pope Nicholas because he lacked the titles to nobility essential to membership in their community. (Cited in Vansteenberghe, *op. cit.*, 126).

92 On von Beichlingen see the *Allgemeine deutsche Biographie*, 7, (Leipzig, 1887), 548-49.

fifth, no one because of the recent death of the incumbent there.⁹³ There were a substantial number of monastic officials present, however, including the Bursfeld Abbot Hagen whom Cusa had delegated to oversee Benedictine reform in Mainz province. The Bursfeld congregation had an especially distinguished record as reform influence in the Benedictine monasteries of Magdeburg province.⁹⁴

With the full cooperation of the archbishop, Cusa released through the synod eleven reform edicts. Five of these (on monastic reform, the Jews, prayer for the pope, simony and the brotherhoods) had been issued previously. The other six are new.⁹⁵ Three of these can be mentioned in passing, one relating to conduct in church, a second to abuses in the conferment of benefices and a third to the naming of deputies to implement the provisions of the synod. The three remaining deserve closer attention.

Of these significant new decrees, one forbade bishops the use of interdicts to collect personal debts.⁹⁶ Prince-bishops, especially in Northern Germany, had long tended to confuse their episcopal powers and responsibilities with their personal holdings and ambitions as feudal lords. The result, too often, was the invoking of spiritual sanctions to support secular ends. Some bishops had in fact levelled excommunication and interdict not only for financial reasons but also to cripple a dynastic rival.⁹⁷ Here Cusa was able to confront one of the leading causes of that breakdown in proper functions and priorities he had so eloquently excoriated in the *De concordantia*.

Another new Magdeburg decree provided penalties for certain religious orders such as the Servites and the Teutonic Knights who had during the preceding generations of papal weakness and church schism assumed on their own authority the remission of certain classes of sins canonically reserved to the pope.⁹⁸ In re-asserting the authority of

93 *Die Chroniken der deutschen Städte*, XVII, (Leipzig, 1889), 400. See also K. Grube, "Die Legationsreise des N. von Cusa durch Norddeutschland", *Historisches Jahrbuch*, 1 (1880), 402.

94 The Bursfeld movement originated in the reform of the Bursfeld monastery in Hildesheim diocese by a conciliarist monk, Johann Dederoth. Aided actively after 1433 by a local duke and a Trier Carthusian, Johann Rode, the Abbot Dederoth had transformed the dilapidated Bursfeld house into a model of Benedictine reform. His successor, the Abbot Hagen, instituted annual meetings with like-minded Benedictines from throughout Northern Germany. By 1451 Bursfeld had nearly three dozen affiliates. Cf. *Handbook of Church History*, IV, 583, and Paulus Volk, *Fünfhundert Jahre der Bursfelder Congregation*, Münster, 1950). See also Coulton, *op. cit.*, IV, 165-72.

95 The cooperation of the Magdeburg archbishop seems the basic reason here rather than this province requiring that much more attention than Salzburg province. (Cf. Koch, *Umwelt*, 113).

96 Text in Würdtwein, *op. cit.*, 391-93.

97 *Ibid.*, 391-92.

98 Text in F. X. Seppelt, "N. von Cues und das Bistum Breslau," *Zeitschrift des Vereins für Geschichte Schlesiens*, 47 (1913), 272.

Rome, Cusa again encountered practices of long duration and wide support.

On the final day of the synod, June 28th, came an edict condemning the venerable vice of concubinage among the clergy. Concubinaries were given a year to put aside their mates or suffer suspension from all priestly offices. The women involved would, after a single warning, be subject to excommunication. Though concubinage was certainly not unique to Magdeburg among the imperial church provinces, its high incidence there in the mid-fifteenth century is undisputed.⁹⁹ This does suggest something of the depleted state of church discipline. The decree was promulgated again at the Mainz synod, but there is no evidence in either province that it achieved its purpose.

Cusa saved his most controversial measure for July 5th, a week after the adjournment of the Magdeburg synod and twenty-five miles away, in Halberstadt. This decree, on the phenomenon of the "Bloody Hosts", was aimed in particular at the town of Wilsnack in the Magdeburg see of Havelberg where pilgrimages to view the "miraculous" wafers had become most lucrative for many in the area over the past sixty years.¹⁰⁰

Cusa had not visited Wilsnack personally, but he had heard vigorous denunciations of it at Magdeburg. It had been characterized as a gross superstition which required the strongest corrective action, despite any official approval of it previously given by Rome.¹⁰¹ Cusa's condemnation of the mottled hosts is consistent with his general interest in eliminating practices he believed to be exotic or peripheral or dangerous in relation to the essential core of the Christian faith. In this sense his opposition is unqualified:

...The people mistake the red spots of the bread for the blood of Christ The priests not only permit but encourage this belief because of the money it brings them We ... can no longer keep silent since ... Christ's glorified body has only a glorified blood, completely invisible

99 The Halle Augustinian Prior Johann Busch found that his attempts at enforcing celibacy locally resulted only in a number of churches left without priests, since many preferred their wives to their church positions. Cf. J. Busch, *Chronicon Windeshemense und liber de reformatione monasteriorum*, K. Grube, ed., (Halle, 1886), 451. (Reprinted 1968, Farnborough, England).

100 The "Bloody Host" phenomenon originated in 1383 when a deranged man set fire to a village near Wilsnack. The village church was destroyed except for the altar where three hosts allegedly covered with blood were found. Preserved in crystal at the Wilsnack church, the hosts were soon believed to be working miraculous cures and the site became the focus of pilgrimages from all over Europe. (Cf. K. Löffler, "Mittelalterliche Hostienwunder und Wunderhostien in Westfalen und Niedersachsen," *Auf Roter Erde*, 6 (1931), 9-26.

101 Pope Eugene's decree and Nicholas' affirmation of it are in Raynaldus, *op. cit.*, an. 1447, # # 9-10.

Every occasion by which the unlettered [simplex vulgus] are deceived must be removed. Therefore wherever 'transformed hosts' exist in our legation territory, priests are not to display them, or cry 'miracle' or allow leaden images to be made of them. These hosts must be consumed by a priest rather than disintegrate through corruption of the species.¹⁰²

Reference to his inability to remain silent possibly reflects in Cusa a painful awareness that his action contravened Pope Nicholas' approval of the cult. The legate nonetheless specified excommunication of those responsible and interdict of the Wilsnack territory if, after three warnings, the practice continued. Later, at Leiden in the Netherlands, he released from their oath all who had sworn to make the Wilsnack pilgrimage, urging them instead to visit the altare in their parishes where the graces to be derived were far richer than any remotely possible from the Wilsnack pilgrimage. The Christocentric character of Cusa's reform outlook remained pervasive, especially as this involved any question as to the nature and supreme importance of the Eucharist.¹⁰³

But this reform of popular religious life and of Eucharistic doctrine came to nothing. The newly elevated bishop of Havelberg refused to enforce the decree. His subsequent excommunication by the Archbishop Frederick elicited only a defiant counter-excommunication from several Havelberg clerics who claimed that the Wilsnack exhibition had been granted permanently and irrevocably by several popes.¹⁰⁴ The bloody brawls that followed did not further the legate's reform program in Magdeburg province. In 1453 a politic Pope Nicholas abrogated Cusa's decree and allowed the Wilsnack pilgrimage to continue.¹⁰⁵ The pope's early reform determination was currently being tempered by pressures elsewhere as well.¹⁰⁶

As in Salzburg previously, Cusa's most substantive accomplishment in the Magdeburg province came largely through his edict of June 25th on

102 Text in A. Riedel (ed.), *Codex diplomaticus Brandenburgensis*, 1 (Berlin, 1838), 153-155.

103 In the concluding paragraphs of the "Bloody Hosts" decree Cusa ordered the removal of certain statues of Mary and the saints from Halberstadt because they had been the object of adoration by many, in this way seriously detracting from the central significance of Christ on the altar: "...mandamus omnes tales imagines et picturas ab oculis simplicis vulgi amoveri ad quas propter figuram visibilium in suis adorationibus vulgus ipsum specialius recurrit" (Riedel, *op. cit.*, 155).

104 Hefele-Leclercq, *op. cit.*, VII, 1216.

105 Bulls of 6 and 12 March, 1453, cited in Vansteenbergh, *op. cit.*, 99. The archbishop was made responsible for compensating the bishops of Merseberg and of Meissen.

106 Above all the desire to provide the papacy with greater security through consolidation of the papal states in Italy. (See Toews, *op. cit.*, 269-71 & 284).

monastic reform, particularly as this was carried forward by appointed deputies of the Benedictine and Augustinian orders. Four abbots of the Bursfeld congregation were assigned visitation responsibilities in Benedictine houses in four of the six Magdeburg dioceses.¹⁰⁷ As in Salzburg, monks were to be given a year in which to return fully to their order's Rule.¹⁰⁸

Most noteworthy in this monastic phase of Cusa's Magdeburg activity was the Augustinian prior of Halle, Johann Busch. With one colleague Busch visited some twenty Augustinian monasteries scattered over the Magdeburg and Mainz provinces.¹⁰⁹ Following Cusa's instructions, he began each visitation in extensive discussion with the abbot and prior, then proceeded in like fashion down to the humblest members of the establishment. Busch spent seven weeks in the Erfurt area alone and successfully reformed monasteries as far east as Leipzig.¹¹⁰

By July 8th Cusa's party, including Busch himself for a time, had pushed on from Halberstadt through Brunswick to Hildesheim in the sprawling archdiocese of Mainz. According to Busch, they were met near the city by the Hildesheim bishop, Magnus von Sachsen-Lauenberg, decked in the full battle regalia of a great knight, and leading a large force of soldiers and officials.¹¹¹ Bishop Magnus, scion of an old ducal family, had held the diocese more than a quarter century, much of it involved in power struggles with neighboring prince-bishops, among others. Cusa was painfully reminded of the depth of the reform problem in North Germany.¹¹²

Bishop Magnus nonetheless allowed Cusa to release several major decrees, including those on the brotherhoods, the Jews, concubinage, and the misuse of the interdict.¹¹³ Significantly missing is anything relating to monastic reform. But Cusa, not to be entirely thwarted in

107 Koch, *Umwelt*, 125.

108 Hefele-Leclercq, *op. cit.*, VII, 1215.

109 Busch, a product of the Windesheim Augustinian monastery in the Netherlands, has left in his *Chronicon* (cited above, note 99) a full account of his visitations. This work is fundamental for the study of reform in Northern Germany during the middle decades of the fifteenth century. The only biography of Busch is that by Johann Grube, cited above, note 90.

110 Busch continued his monastic visitations until his death in 1472, completing over forty years of active reform work in hundreds of monasteries. But he observed how the opposition seemed to intensify with the years, especially in the convents. (Cf. *Chronicon*, 555-558).

111 *Ibid.*, 746: "Episcopus ... Magnus a capite usque ad pedes armatus cum terra que vasallis militaribus et cum magna comitiva ..."

112 Busch, *loc. cit.*, reports that Cusa was astonished that this warrior was in fact the bishop of Hildesheim. Joachimsen, *op. cit.*, 48, observes, however, that the secularized prelate as mounted knight was most prevalent in the Germanies during the fifteenth century.

113 Vansteenbergh, *op. cit.*, 92.

this matter, insisted on personal visitation of some city monasteries. His experience proved instructive.

At the Benedictine monastery of St. Godehard the cardinal-legate was received with banners waving and bells ringing at full volume.¹¹⁴ The Abbot Helmhold had been among the seventy Benedictines who had vowed reform at the Würzburg general chapter in May. But Cusa observed that virtually nothing had been done at St. Godehard in the two months since. He therefore summoned the monks, addressed them briefly but urgently, and concluded in a loud voice: "I command you, I order you to live according to the Rule of St. Benedict." He then required that the abbot and each monk swear accordingly.¹¹⁵ This they did, though the Abbot Helmhold just as stubbornly continued his aversion to serious reform. He presents a good example of the kind of persistent frustration Cusa faced.¹¹⁶

But if Helmhold's smiling evasiveness could baffle the legate, open and blatant incompetence could be met decisively, as at the nearby monastery of St. Michael's. The abbot, Heinrich von Woltporp, had admittedly obtained his position from Rome by simony. He had also consistently refused any reform of his monastery. Cusa was appalled to discover that the abbot could not understand the simplest Latin.¹¹⁷ He persuaded the badly embarrassed Heinrich to resign in favor of a Bursfeld monk who established an enduring reform tradition at St. Michael's.¹¹⁸

Yet, in order to secure the deposed abbot's renunciation of his office, the papacy found it necessary to provide him with an annual pension.¹¹⁹ Technically Cusa's commission superseded all prior monastic exemptions, but this obviously did not include in practice those many cases where the position had been secured from Rome. There would be other such exceptions in the application of Cusa's authority, pointing up the continuing intrusion of political considerations in the cardinal's reform decisions.

Finally, before leaving Hildesheim, Cusa turned his attention to the

114 Legatius, *Chronicon monasterii St. Godehardi* in: G. Leibnitz, (ed.), *Scriptores rerum brunswicensium*, 2, (Hannover, 1707), 414.

115 Vansteenberghe, *op. cit.*, 117.

116 Busch, *Chronicon*, 529, describes Helmhold's method: "Helmoldus, vir moribus bene compositus, dulcis, prudens et quietus, industria sua cassum fecit per indirectum omnem episcoporum et patrum laborem, dissimulans se velle reformare ... capitula ordinis provincilia visitans et ibidem ordinata servare promittens et amicitias cum bene reformatis servans."

117 Busch, *ibid.*, 525, characterizes Woltporp as a "vir ... illiteratus et pene pro laico remutatus sed astutus in exterioribus et callidus in verbis non tamen ad reformationem pro primo ibi inclinatus."

118 Grube, "Die Legationsreise," 409-410.

119 Busch, *Chronicon*, 526.

spiritual life of the laity. He believed that proliferation of superstitious, exotic and even heretical customs among the people derived in large part from their ignorance of the important prayers, as well as the rudiments of doctrine. Since printing was not yet in practical use, books containing such materials remained almost entirely hand-copied and therefore expensive.

Cusa's solution was to adapt an idea from the earlier fifteenth-century French conciliarist, Gerson: the legate had an oaken board inscribed with certain prayers and basic teachings in the Low German dialect of the area. This board, containing the "Lord's Prayer", the "Hail Mary", the "Apostles' Creed" and the *Ten Commandments*, was then hung in the local church of St. Lambert where it could readily serve as a kind of "wall catechism" to refresh the faithful in a minimum understanding of their religion.¹²⁰

By July 30th the legate was in Minden, less than thirty miles from the Netherlands border. Here again, despite a bishop of negligible reform sympathies, Cusa managed to issue seven of his decrees. Of some interest as evidence of a shift in his reform approach is his edict against concubinage. Posted in two parts on the doors of the town's churches, the document directed the Minden clergy to leave their women at once, not within a year's time as Cusa had previously allowed. If no action was taken in this regard, an interdict would be levelled upon the town which only the pope or his legate could remove.¹²¹ In the peremptory tone and broadened thrust of this concubinary decree can be detected something of the cardinal's increasing exasperation at the pace and fortune of his reform efforts.

As noted, little was to be expected of the Minden bishop, Albrecht von Hoya. Albrecht held the neighboring bishopric of Osnabrück as well. His brother Gerhard presided over the large archdiocese of Bremen to the north, while a second brother, Erich, had since 1448 claimed the bishopric of Münster. But Erich had been blocked in his ambition by the rival princely clan of the von Mörs whose head, Theoderic, happened to be archbishop of Cologne and imperial elector. Theoderic had gotten his own brother, Walram, elected to the Münster see, to the enduring resentment of the von Hoyas. Minden, Osnabrück and Münster were all suffragan sees of Cologne, but the enmity of the

120 Vansteenberghe, *op. cit.*, 103. Also, W. Krögmann, "N. von Kues und die Katechismustafel in Hildesheim," *Niederdeutsches Jahrbuch*, 88 (1965), 59-67.

121 Pastor, *op. cit.*, II, 124, and Schroer, *op. cit.*, 312-13.

von Hoya and von Mörs clans made the bishoprics of Minden and Osnabrück quite independent in fact.¹²²

The von Hoya counterthrust in the Münster dispute had been led by still a fourth brother, Count Johann, the only layman, technically speaking, in this extraordinary family.¹²³ The count had found a valuable ally in the dukes of Kleve (father and son) who had their own reasons for opposing the von Mörs family. The maternal uncle of the younger duke of Kleve was Duke Charles of Burgundy, one of the most powerful rulers in mid-fifteenth-century Europe. Nonetheless, Archbishop Theodoric had been able through a deft balance of von Mörs military power and diplomacy to protect his brother's title to Münster.¹²⁴

Cusa had tried to mediate the Münster conflict three years before when he was papal legate to the German princes, but it had persisted as a deeply divisive issue in Northwest Germany. Pope Nicholas had charged him again with the specific task, indicating the concern with which Rome viewed the matter.¹²⁵ Accordingly, Cusa had written to the Münster bishop, Walram von Mörs, to the Münster civil authorities, and to Duke Johann von Kleve, offering to conduct peace negotiations. But a few days before Cusa's arrival the von Hoyas and their Kleve ally had resumed open warfare against the von Mörs dynasty. Effective mediation became for the moment impossible.¹²⁶

Cusa persisted, however, and after detouring around the combat area into the Netherlands, he continued to press for a meeting of the two sides on a neutral site. From Utrecht on September 8th he sought to arrange a month's truce, threatening interdict on both sides if it were not observed. He then proposed the Dutch town of Arnheim as the place for negotiations to begin on September 18th.¹²⁷ But the von Hoya faction, while hoping to regain papal approval, had no intention of

¹²² The standard account of the Münster *Fehde* remains that of Joseph Hansen, *Westfalen und Rheinland im 15. Jahrhundert*, 2, (Leipzig, 1890).

¹²³ The Westphalian house of von Hoya owed its rise mainly to an alliance with the Pisan faction of the church during the Schism. The Pisan Pope Alexander V had assured the continued loyalty of the von Hoyas in 1410 by awarding them three Westphalian bishoprics. In 1451 the family still held two of these and were laying claim, backed by arms, to the third.

¹²⁴ Cf. Meuthen, *op. cit.*, 91-92.

¹²⁵ Text in Raynaldus, *op. cit.*, an. 1450, # 10.

¹²⁶ Cusa's failure to contact Johann von Hoya is puzzling, since no stable peace was likely without his support.

¹²⁷ "...sub poena maledictionis aeternae apostolica auctoritate" J. Koch (ed.) *Briefwechsel des N. von Kues*, Cusanus-Texte IV, (Heidelberg, 1948) p. 63, lines 21-22. (Henceforth cited as 'Briefwechsel').

relinquishing their claim to the Münster bishopric. So the Münster *Stiftsfehde* dragged destructively on, despite the willingness of the von Mörs to negotiate. Only the death of Bishop Walram von Mors in 1456 opened the way for a papally appointed outsider from Magdeburg province. Meanwhile serious reform in the areas involved was paralyzed. The endless feudal wars of a fragmented Germany contributed considerably to the decline of the late medieval church, especially when churchmen were themselves participants.¹²⁸

The cooperation of the Magdeburg archbishop had nonetheless enabled Cusa to issue eleven of his thirteen decrees during his nine weeks in the province and its fringes. Virtually the full lineaments of the cardinal's program could therefore be seen by the time he crossed into the Lowlands in early August. His various edicts and reform activities had encompassed all levels and most aspects of church life in North Germany. Foremost among his achievements was his success, as in the South, in utilizing existing monastic reform elements like the Bursfeld Benedictine congregation and the dynamic Windesheim Augustinian, Johann Busch.

But if the decrees, the preaching, the visitations and the cardinal's personal example undoubtedly brought some degree of spiritual renewal, there is also evidence of mounting resistance to the mission. In the first place there were, and would be, open appeals to Rome against the legate's measures, as by the Wilsnack clerics (led by their bishop), or by the clergy of Breslau (against their bishop).¹²⁹

Also to be reckoned with were the smooth second level administrators like the Abbot Helmhold of Hildesheim who could pledge compliance with whatever the legate wanted, only to quietly sustain the accustomed ways after his departure. Possibly most destructive of all to the cause of reform, however, was the feuding of the prince-bishops, as in the Münster *Stiftsfehde*. Finally, there was at least a hint that the strains of the journey were beginning to affect the fifty-one year old cardinal.¹³⁰

128 On the *Fehden* in general see Otto Brunner, *Land und Herrschaft*, 4th ed., (Vienna, 1959), 1-110. Also, E. E. Y. Hales et al. (eds.) *Europe in the Late Middle Ages*, (London, 1965), 238-39.

129 Cusa, unable to visit Breslau personally, had sent ten reform decrees at the Bishop von Nowack's request. The fate of these proxy edicts is told in the diocesan records: "Sed [these reforms] non assumpta, quia clerus appellavit contra episcopum eisdem statutis." (Cited in Van-steenbergh, *op. cit.*, 120).

130 This tendency became more pronounced from September on, as can be seen, for example, in certain of his letters and actions which reflect a deepening personal animosity toward the von Hoya party, a bitterness perhaps intensified by reverses being suffered at this time in the Netherlands.

By mid-August Cusa had travelled nearly a thousand miles since leaving Rome, most of this over the primitive roads of the Empire. In that time he had not paused more than fifteen days anywhere, averaging about four days for each stop. On the road and between visitations he worked on his sermons, his reform edicts and his visitation agenda.¹³¹ But the patience, the endurance and the diplomatic skill that he had demonstrated would be tested still more severely in the Lowlands.

Cusa spent the first six weeks of his Netherlands mission in the solidly Germanic areas lying north of where the Meuse and Rhine rivers turn westward to the sea. During this period (August 11th to September 24th) the legate covered some two hundred fifty miles in making fifteen recorded visitations in the territories of Holland, Zealand and Friesland. The Northern Lowlands, standing in a loose affiliation of counties and duchies with the Empire, lay entirely within the Cologne church province. Utrecht, south of the Zuider Zee, served as the diocesan center of the region.

Deventer on the Ijssel River was the legate's first major Lowlands stop. With the neighboring towns of Diepenveen and Zwolle it comprised the heartland of the original *devotio moderna* movement, as inspired by Gerhart Groote in the late fourteenth century. Here as perhaps nowhere else on the legation Cusa was among clergy and lay people whose spiritual ideals and practices so closely approximated his own. The combination of scholarship with mystical piety and of an active life of public service with respect for contemplation were values Cusa shared with the Brethren. A core experience of prayer, poverty and excellent teaching in a spiritual community where no formal vows were required had been the basis of a remarkably successful expansion of the Deventer Brethren and their influence into Western Germany and Northern France, as well as elsewhere in the Lowlands.¹³² The Brethren still represented an impressive alternative to religious traditions and practices that had ceased to inspire or function properly.

Cusa spent an additional two days preaching and dispensing the jubilee indulgence at the famed Augustinian monastery of Windesheim nearby. This monastic counterpart of the Brethren of the Common Life had by the cardinal's visit in 1451 become the focus of some sixty affiliated monasteries spread over the Netherlands and into Northern Germany. Like the Brethren, the Windesheim congregation monks followed the best reform strategy of the *devotio moderna* in stressing the

¹³¹ Koch, *Umwelt*, 44 & 116-129.

¹³² Cf. Post, *op. cit.*

inner spiritual renewal of the individual, quite apart from the multiplication of rules, rituals and stern asceticism.¹³³ Above all, the zeal of the Windesheim Augustinians for monastic reform made them, with the Benedictines of the Melk and Bursfeld congregations, the most valuable collective help Cusa received on the legation. In the former Windesheimer, Johann Busch, the legate found his most effective individual help in the monastic reform aspect of his mission.

The peaceful interlude at Deventer and Windesheim was in sharp contrast to the rude reality of Cusa's subsequent Netherlands experience. Arriving on August 27th episcopal city of Utrecht, the legate promptly met problems similar to those found in the various parts of Germany. Of primary concern to him was the obvious failure of the local bishop and other authorities to enforce claustral security, especially in the convents of the diocese. Cusa's solution was a decree of September 3rd, not seen before, which promised automatic excommunication of any male, cleric or layman, who violated the sanctuary of any Utrecht nunnery. In addition, the offender would bring an interdict upon his place of residence.¹³⁴

The severity of these terms suggests a continued shift from the general moderation of Cusa's prescriptions during the Salzburg phase of his legation. But the decree was simply ignored after Cusa left the city. The Utrecht bishop was either unable or unwilling to discipline his own cathedral canons, who were among the chief trespassers of convent premises. When word of all this reached Cusa six weeks later at Trier, he addressed a letter to the Utrecht clergy ("ad ecclesias Traiectenses") without mentioning the bishop. Its language reflects much of the weariness, exasperation and resentment engendered concurrently by Cusa's abortive Münster *Stiftsfehde* negotiations:

...we now hear that you spurn our edicts and [have appealed them] to Rome, supporting the empty pleas of the Utrecht nuns against a cloistered life prescribed by canon law. Where is your faith, you who aid willful and disreputable women [mulierculis]? Certain contemptible clerics among you ... continue to go into the convents ... yet you allow such men with you ... in divine services, even though they are under interdict¹³⁵

133 Cf. Busch, *Chronicon*, 18: "...patres nostri ... rigidam abstinentiam pro animarum non esse salute nec corporum sanitate"

134 Text in E. Swalue, "De kard. Nicolaus van Cusa in zijne werkzaamheid als pauselijk legaat in de Nederlander," *Archief voor kerkel. Geschiedenis*, 9 (1838), 263-67.

135 Text in Koch, *Briefwechsel*, 64-66.

Cusa concludes by demanding immediate evidence of submission to his authority, failing which he will seek the intervention of the secular power, in this case Duke Philip of Burgundy. But there is no evidence of compliance nor of Duke Philip's involvement as enforcer. In June 1453, Pope Nicholas abrogated any and all penalties levelled by his legate in the matter of the Utrecht convents.¹³⁶ Once more the pope would disavow his deputy in a crucial case of reform authority. The cardinal had again spent valuable prestige in a broken effort.

After some limited success in pressing spiritual renovation upon Benedictine institutions at Egmont and Rijnsburg,¹³⁷ the cardinal rode south through Nimwegen and across the Rhine and Meuse river lines that divided the two main regions of the Netherlands and the bishopric of Utrecht from that of Liège.

Among those who joined Cusa's entourage for a time was the distinguished theologian and reformer, Denys van Lieuwen, or Denys the Carthusian, a man who had written widely on the decay of contemporary religion. His had been among the few voices consistently raised against the domination of the German church by the prince-bishops.¹³⁸ More directly, Denys knew from close personal observation the career of one such prelate, his own Liège bishop, Jan van Heinsberg. Cusa may therefore have been better prepared for what he found in Liège.

Prior to reaching Liège itself, however, Cusa paused in several outlying locales to confront what seemed blatant violations of clerical morality and discipline. At Maastricht he condemned concubinage in the secular clergy, first through a searing sermon on the nature of the true priestly life, and secondly by exacting from each priest involved a pledge to put his mate aside at once. But within four months the Maastricht clergy were appealing the legate's injunctions to Rome.¹³⁹ The final outcome is not known, although a set of statutes Cusa imposed upon a Benedictine house at nearby St. Trond remained a dead letter.¹⁴⁰

¹³⁶ Koch, *Umwelt*, 55.

¹³⁷ The chronicler Zantfliet remarks that Cusa corrected many serious abuses in the Egmont monastery. (Cf. E. Martène & U. Durand, [eds.], *Veterum scriptorum et monumentorum historicorum ... amplissima collectio*, V, [Paris, 1731], 475).

¹³⁸ See Johann Schäfer, *Die kirchlichen sittlichen und sozialen Zustände des 15. Jhdts. nach Dionysius Carthusianus*, (Leipzig, 1904).

¹³⁹ Koch, *Umwelt*, p. 52, n. 3 and p. 135.

¹⁴⁰ Adrian D'Oudenbosch in his *Chronicon* (Martène-Durand, *op. cit.*, IV, 1220) observes that "... in St. Trudone [Cusa] dedit unam reformationem in scriptis ... sed nihil aut valde parum de ipso fuit opere impletum."

At Herckenrode and at Tongres the legate again dealt rigorously with the clergy, commanding Cistercian nuns in the former town to practice the Rule they had vowed to follow, while at the same time he gave the canons of Tongres three days to leave their women or suffer excommunication and loss of benefices.¹⁴¹ But most importantly in Tongres, Cusa suspended a "Bishop" Hylger whom he had found functioning as a priest, although he had been invalidly consecrated by a Norwegian bishop formally degraded by Rome.¹⁴² The presence of such irregular clergy is additional evidence of the state of official Roman control within the Liège diocese.

Finally, on October 13th the legation party entered Liège itself, the ecclesiastical capital of the Southern Lowlands and, like Utrecht, a suffragan see of Cologne. Cusa was met outside the city by the redoubtable bishop and a large retinue. Jan van Heinsberg, though he was more than thirty years in office by 1451, retained many of the qualities that had made him a larger-than-life-size model of the prince-bishop. Fond of war, of great display and of women, he had used his position to pursue each of these interests.¹⁴³

The bishop escorted Cusa's party to the episcopal palace where the cordial atmosphere of the legate's welcoming turned swiftly to fear and hostility as the Benedictine abbot of St. Trond, the Cistercian abbess of Herckenrode and two canons from Maastricht arrived to warn the Liège clergy of the severity of Cusa's recent reform provisions in their respective areas.¹⁴⁴ Instead of greeting the legate, the apprehensive Liégens voted unanimously to examine a copy of his commission. They quickly discovered therein sufficient grounds for invalidating Cusa's Liège jurisdiction. His legatine authority, they noted, clearly extended only to German-speakers (*Alemanni*), not to French-speaking individuals like themselves. They would receive him as an honored cardinal and as a fellow priest, but not as papal legate.¹⁴⁵

¹⁴¹ Of the Herckenrode nuns D'Oudenbosch comments (*loc. cit.*), "... sed dissimulabant obedire."

¹⁴² *Ibid.*, IV, 1219 & 1226.

¹⁴³ Zantfliet, *ibid.*, V, 380, describes van Heinsberg as a man "strenuus et in armis experientissimus" whose personal retinue numbered over one hundred sixty horsemen in full regalia. D'Oudenbosch (IV, 1229) records that van Heinsberg had used this force in 1442 to collect a debt from the Trier Archbishop von Sirck, and again seven years later in a conflict with the bishop of Utrecht. Finally, Denys the Carthusian claims that van Heinsberg had some eighteen children for whom he provided openly. [Cf. Alexander Flick, *The Decline of the Medieval Church*, 2, (N.Y., 1930), 436, for the citation from Denys].

¹⁴⁴ D'Oudenbosch in: Martène-Durand, *op. cit.*, IV, 1221.

¹⁴⁵ [The Liège clerics] *statuerunt unanimiter prius accedere ad [Cusa], et petere copiam bullae legationis suae, quae audita, responderunt, quod libenter audirent eum ut cardinalem et eorum*

Bishop van Heinsberg kept a careful distance throughout this exchange, advising Cusa amiably to let the pope solve it.¹⁴⁶ The cardinal withdrew to a nearby Carthusian monastery, hoping for some moderation in the clergy's position. He found instead nearly all access to him blocked by the dissidents. In reprisal he revoked all indulgence grants made previously to the non-German speaking peoples of the diocese.¹⁴⁷ Later, from the abbey of Malmédy, he dispatched a furious letter to the Liégiers, rejecting as contemptible their contention that he had no authority over them. Accept reform from his hand at once, he wrote, or be prepared to suffer such drastic remedies as he could impose, including the power of the state.¹⁴⁸ The Liège clerics appealed indignantly to an unnamed cardinal in the Roman curia, characterizing Cusa's motives as merely selfish and material. Slighting references were made both to his middle-class origins and to his failure to settle the Münster feud. This recent episode had cost the legate considerable prestige and his aristocratic critics were quick to pounce. So the conflict with the Liège clergy rested.¹⁴⁹

Immediately after his ultimatum Cusa departed Malmedy and the Lowlands, arriving at Trier in his native Mosel valley on October 23rd. The Netherlands phase of his mission had been accompanied, as elsewhere, by much celebration and apparent enthusiasm. He had preached at least ten times in as many places, had widely dispensed the jubilee indulgence and had everywhere directed the attention of the faithful toward what really mattered spiritually, in his view. But apart from the few days among the model *devotio moderna* communities, Cusa had unquestionably suffered several major setbacks. In addition to the final frustration of his Münster *Stiftsfehde* negotiations was the virtual stalemate of his reform program among the clergy of the two Netherlands dioceses. Faced with an increasingly open and more defiant opposition, Cusa had reacted in several instances with threats that could not be enforced, or with penalties that became no less severe or sweeping in their application despite ample evidence of their failure.

confratrem, sed non ut legatum, quia non essent Alemanni sicut dicebat bulla ipsius sed Gallici" (D'Oudenbosch, *ibid.*, IV, 1221).

146 *Loc. cit.*

147 Koch, *Umwelt*, 137.

148 Text in E. Vansteenbergh, "Le cardinal-légat N. de Cues et la clergé de Liège," *Leodium*, 15 (1922), 119.

149 The papal commission of 24 December, 1450, had defined Cusa's jurisdiction, vaguely enough, as "Germany, Bohemia and the countries adjacent." Stressed, however, was the legate's selection because of his command of German.

The legate's personal example remained, however, one of his strongest assets. An Augustinian canon who accompanied him through most of the Lowlands has left a detailed account of Cusa's reform regimen and personal approach in his Netherlands visitations:

[Cusa] appeared affable and modest, talking simply with the brethren [on such] subjects [as] the Bible, the grace of Christ and the monastic virtues Rarely did he sleep more than two hours at night. On rising ... he read awhile on spiritual topics, then made provision for the letters or pleas directed to him. Many came [for] advice and help¹⁵⁰

On reaching Trier Cusa began the final stage of his mission, that among the three great electoral archbishoprics of the central Rhineland. Jacob von Sirck presided at Trier. His accession in 1439 had been marked by intense controversy. Much of his energy in the 1440's had been devoted to adroit maneuverings between papal and conciliar allegiance.¹⁵¹ A contemporary Trier chronicler described this formidable prince-bishop as

most astute in business matters, in which no one understood him Nor did he confide [in anyone] but always addressed his nobles in obscure parables Whatever he wished he obtained by money He governed his people poorly and greed dominated his heart.¹⁵²

Although it had been over thirty years since the last provincial synod in Trier, von Sirck had no intention of allowing Cusa to convene one under direct papal authority. The archbishop had effectively forestalled this prospect by ordering a desultory reform the previous February while Cusa was still in Austria.¹⁵³ Cusa's function as papal legate in the Trier archdiocese was therefore largely limited to proclaiming the jubilee indulgence.¹⁵⁴

By November 13th the legation had reached Mainz, the capital of a sprawling church province that extended from Constance in Swit-

150 Frederick van Heilo, *Tractatus de peregrinantibus* ..., ed., J. Pool, (Amsterdam, 1866), 148-49.

151 Erich Meuthen, *Das Trierer Schisma von 1430 auf dem Basler Konzil*, (Münster, 1964), 67-69 & *passim*. Cf. also W. Rossman (ed.), *Betrachtungen über das Zeitalter der Reformation*, (Jena, 1858), 380 & 383.

152 See *Gesta treverensium archiepiscoporum* in: Martène-Durand, *op. cit.*, IV, 450.

153 *Loc. cit.*

154 At von Sirck's request Cusa did write two letters to the mendicant orders of the province urging them to accept a reform modeled on the Windesheim Augustinian Rule. Agents selected by von Sirck and by the Trier city government were to enforce the reform. The prospect of submitting not only to lay authority but also to a different monastic tradition was clearly unacceptable to the Trier Franciscans and Dominicans. Nothing came of Cusa's suggestion. (Cf. Koch, *Briefwechsel*, 68-70, and Koch, *Umwelt*, 63-64).

zerland to Verden near the North Sea. Cusa had, of course, earlier penetrated outlying parts of this province. Archbishop Dietrich von Erbach had held his position seventeen years in a manner that was at least respectable, if not distinguished. During Cusa's three and a half weeks in Mainz he was able to issue eight of the thirteen major decrees seen elsewhere. The most significant omissions are those relating to simony and transactions in benefices.¹⁵⁵

The influence of the defunct Basel Council is to be found in several decisions that emerged from the Mainz synod. Accepted intact, for example, was a 1433 decree of that assembly providing for the frequent holding of provincial synods. Resolutions treating of usury and the conduct of the clergy were simply renewed *verbatim* from Basel records.¹⁵⁶ That Cusa himself drew for inspiration upon conciliar documents was deeply resented by certain unreconciled German conciliarists. They saw in this act a dangerous papal coöptation of their movement, a clear threat to whatever lingering hope might exist of a conciliar revival.

Such was the burden of an anonymous letter left at Cusa's residence in Mainz. Probably authored by a member of the lower clergy,¹⁵⁷ it disputed the legate's position by raising again the conciliar argument that reform is valid only through a general council. The writer argued forthrightly that

... the authority of the sacred councils [must] not be destroyed nor voided through the reform decrees of the ... cardinal-legate, which are similar to the decrees of the Basel Council If therefore the authority of the [legate] is accepted, then his authority would seem to be higher than that of a general council, which is untrue.¹⁵⁸

The document continued with a vigorous denunciation of any would-be reformer who dared attempt local reform before that fundamental reform of pope and curia had been carried out which alone would make it acceptable. Here was a clear echo of Cusa's early position in the *De concordantia*. By the same token, a reference in the letter to the problem of simony in benefices ("sold like pigs and cows in the market") probes a significant gap in the legate's Mainz program. So it was that pockets of militant conciliarism, reinforced by persistent

¹⁵⁵ Koch, *Umwelt*, 139-141.

¹⁵⁶ Hefele-Ledercq, *op. cit.*, VII, 1220-1223.

¹⁵⁷ Bruno Gebhart, *Die Gravamina der deutschen Nation*, (Breslau, 1884), 6, note. See also Joachimsen, *op. cit.*, 50, who infers this from the letter's criticism of all higher authority, secular and spiritual.

¹⁵⁸ C. W. Walch (ed.), *Monimenti medii aevi*, (Vienna, 1775), 103-104.

strains of anti-Romanism, played their part in blunting the impact of the papal mission.¹⁵⁹

As to the discernible results of the Mainz Provincial Council, the suffragan bishops of Würzburg, Augsburg and Eichstätt incorporated Mainz reform decrees within two years in special synods convened within their respective dioceses.¹⁶⁰ But there is little to suggest anything like the spiritual renewal intended by Cusa. There are, on the other hand, clear indications of failure, as in the case of the Würzburg diocese where the bishop reenacted at a 1453 synod the entire program of the year before.¹⁶¹ This procedure more than implies the inadequacy of the original effort.

Seventy-five miles north from Mainz along the Rhine was Cologne, the last great ecclesiastical center on the legate's itinerary.¹⁶² He convened the provincial synod on 23 February, 1452, presiding with the Archbishop, Theodoric von Mörs. Although the suffragan bishops sent only representatives, the council was well-attended and Cusa was able to push through a series of decrees and resolutions closely resembling those issued at Mainz.¹⁶³

Here at the end of his mission the legate remained at least publicly sanguine, as in his remarks prefacing a set of decrees published March 8th:

...by mutual consultation, things may take a better direction and as you are here assembled ... in great numbers, it appears to me that the time has come where from deliberate, ample and common consultation a profitable result may follow.¹⁶⁴

¹⁵⁹ The Franciscan Observant, Matthias Döring, of Magdeburg and the Carthusian Prior, Vincent D'Anspach, were most prominent among German churchmen who opposed Cusa's mission on conciliarist grounds. On the former, cf. Peter Albert, *M. Döring*, (Stuttgart, 1892). D'Anspach regarded the legate's journey simply as another ruse for cheating the German people. (Cf. Pez, *op. cit.*, VI, 327-28).

¹⁶⁰ Hefele-Leclercq, *op. cit.*, VII, 1223.

¹⁶¹ *Loc. cit.*

¹⁶² Before convening the Cologne synod, however, Cusa sought to enlist Philip, Duke of Burgundy, in a papal plan to end the great war between England and France. But the duke, believing the currently successful French king to be averse to negotiation, refused Cusa's plea. [See Joseph Calmette, *The Golden Age of Burgundy*, (N.Y., 1963), 162-163; also, Hefele-Leclercq, *op. cit.*, VII, 1221].

A projected journey of Cusa to England for the same purpose of mediation never took place, apparently because of French coolness to the idea. Pastor, *op. cit.*, II, 134, has the text of bulls of 15 August and 23 September, 1451, authorizing the legate to negotiate peace between the old antagonists. Pope Nicholas, planning a joint crusade against the Ottoman Turks before Constantinople, wanted the undistracted aid of the great Christian powers.

¹⁶³ Hefele-Leclercq, *op. cit.*, VII, 1224, details the modifications made by Cusa for the Cologne synod.

¹⁶⁴ Friederich K. von Moser, *Geschichte der päpstlichen Nuntien in Deutschland*, 2, (Frankfurt, 1788), 630.

But the moment had not come and events there did not take an appreciably better direction. The chronicler Zantfliet noted that:

... decrees were passed [at Cologne] and their execution given over to the diocesan bishops; but little fruit issued from this because of the perverse in human nature always preventing and hindering worthy endeavors.¹⁶⁵

Before departing southward to terminate the mission in his own bishopric of Brixen, Cusa directed a parting thrust at the Cologne mendicants.¹⁶⁶ In early March before a mixed audience of clergy and Cologne civil officials he urged that friars in violation of their Rule be barred from preaching, hearing confession or receiving any degree from the Cologne University theology faculty.¹⁶⁷ The legate displayed again his willingness to raise up lay support to counter clerical defects.

Roused by the cardinal's denunciations, the Franciscans of the province eventually sent agents to Rome to lodge a protest directly with the pope. This appeal, dated August, 1452, contended that Cusa had possessed no reform authority whatever over Franciscans. The pope was reminded that the order stood traditionally and legally in direct relationship to Rome itself, an immunity to lesser authorities which Pope Nicholas' original instructions to Cusa had not revoked. The appeal claimed that the pope had admitted as much to two curia cardinals.¹⁶⁸

Cusa's papal commission of 29 December, 1450, had, as indicated, given him reform authority in "individual churches, ... monasteries, priories, ... secular as well as regular, exempt and non-exempt alike" Pope Nicholas' alleged assurance to the contrary in 1452 might therefore seem indefensible. A modern scholar has pointed out, however, that the customary technical terms for mendicant institutions, namely, "domus" and "conventus", nowhere appear in the bull of December 29th, nor in that of December 24th. The words actually used, ("monasteria," "prioratus," "regularia," and "nonexempta"), may indeed have been intended to apply solely to older orders such as the Benedictines, Cistercians and Augustinians.¹⁶⁹ If this interpretation is valid, it lifts the suspicion of bad faith from the pope only to place the

¹⁶⁵ In Martène-Durand, *op. cit.*, V, 477.

¹⁶⁶ A friar apparently tried to kill him by presenting a poison-covered cross for him to kiss during a welcoming ceremony. (Text in Koch, *Briefwechsel*, p. 112, lines 15-17).

¹⁶⁷ *Ibid.*, p. 113, lines 26-30.

¹⁶⁸ *Ibid.*, p. 115, lines 22-30.

¹⁶⁹ Letter of Friederich Oediger to J. Koch. (Cf. *Umwelt*, 174).

legate himself on legally untenable ground. Cusa's reform zeal had apparently carried him again beyond his authority.¹⁷⁰

By 12 March, 1452, the legation party was heading for the Austrian Tyrol and Brixen, where the mission formally ended on April 7th.¹⁷¹ It would remain a center of controversy, however, as the complaints and appeals against Cusa's decisions multiplied in Rome. In addition to the protests regarding the *Judendekret* and the Wilsnack prohibition, formal pleas were lodged by the Nürnberg and Cologne mendicants, by the Utrecht and Breslau secular clergy, and by the Benedictines of Maastricht, Egmont, Liège and Cologne, among others.

The Trier Archbishop, von Sirck, added his grievance in a letter to a curia cardinal denouncing Cusa for assigning Trier only a third of the jubilee indulgence revenues collected there, while leaving up to half of such funds to certain other archdioceses. Von Sirck noted that he had only Rome's interest at heart in drawing this discriminatory action to the curia's attention, since the German Christians of Trier province were not pleased in being thus victimized, "*praetextu indulgentiarum*."¹⁷²

Cusa's support within the curia was probably not enhanced by such contentions. At the very least it provided much for the former legate to explain to Pope Nicholas when he arrived in Rome in March, 1453, to make his legation report. No record of this meeting is known, though it would likely give something of Cusa's rebuttal to the various charges brought against him. In all his extant later writings he referred very rarely to the legation, and then non-committally.¹⁷³

Seven years after the legation, however, Cusa did elaborate on his experience in the Germanies. The *Reformatio generalis* is a draft of a bull

170 The need for reform among the mendicant orders is not contested. Immunities awarded them during their early fervor of the thirteenth century had too often since become so many pretexts for evading their respective rules. (See Coulton, *op. cit.*, IV, 432-33).

171 Cusa nonetheless remained active as reformer to the very end of the legation. From Aschaffenberg on March 22nd he wrote Cologne University authorities castigating two faculty lawyers for assisting local Benedictines in an appeal to Rome against his decrees. He demanded the excommunication of the pair and their expulsion from the university. (Cf. Koch, *Briefwechsel*, 73-75). In his last recorded legation sermon — at Coblenz on March 12th — he speaks almost wistfully of a divine unity and peace that are hardly prominent in Germany as his mission concludes. (Cf. *Opera*, Basel ed., II, fol. 475).

172 Koch, *Der deutsche Kard.*, 25. But Cusa's agents had trouble collecting the pope's share of the indulgence revenues. (Cf. Koch, *Umwelt*, 139-41, and P. Fredericq, [ed.], *Codex documentorum sacratissimarum indulgentiarum nederlandicarum*, [The Hague, 1922], 144-45).

173 E. g., letter of 16 September, 1452, to the Bohemian clergy, *Contra Bohemos*, Ep. II, in: *Opera*, (Strassburg, 1488), new ed., P. Wilpert, 2 (Berlin, 1967), 681.

prepared by Cusa for Pope Pius II while Cusa himself was serving as *legatus urbis*, or vicar general, of Rome during the pope's absence in the first half of 1459. Fresh from a disastrous tenure as bishop of Brixen that had culminated in his imprisonment by the local Habsburg duke, Cusa undertook with characteristic thoroughness the task of formulating a papal reform program that his friend Pius II could implement.

Cusa had not in the immediate press of legation demands dealt with reform in any systematic, theoretic way in 1451-52. But since he had, as indicated, become a full supporter of papal sovereignty as early as 1442, the *Reformatio generalis* of 1459 probably reflects a set of reform values and assumptions much closer to the Cusa of the legation period than to the young conciliarist of the *De concordantia catholica* over a quarter-century before.¹⁷⁴

The *De concordantia* and the *Reformatio generalis* remain alike, nonetheless, in several important respects. The Dionysian celestial hierarchies, for example, are prominent in the latter as in the earlier work as the penultimate archetypes of reform mediating the *forma Christi* to the mundane realms of church and state. The Christocentric or Christiform emphasis is in fact even stronger in the *Reformatio generalis*.¹⁷⁵ There is also a return to the great conciliarist rallying cry of *reformatio in capite et membris* which Cusa had, for practical reasons, muted during the German legation. Now, of course, it came from a member of the curia itself.¹⁷⁶ And Cusa still finds flourishing most of the abuses he had condemned in the *De concordantia*, including simony, concubinage, indulgence, hawking and the exploitation of sacred relics such as the notorious "Bloody Hosts" reauthorized by the departed Pope Nicholas V. To eradicate these corruptions Cusa recommends once more the use of visitors and synods, the major instruments of reform suggested and employed earlier.¹⁷⁷

174 Best text of the *Reformatio generalis* is that edited by S. von Ehses, "Der Reformentwurf des Kard. Nikolaus Cusanus," *Historisches Jahrbuch*, 32 (1911), 281-97.

175 Christ, for example, is described (*ibid.*, 285) as the "lex viva et forma perfecta" whose divine form man must acquire by imitation in order to achieve immortality. In Cusa's words, (*ibid.*, 283): "... omnes Christiformes efficiamur et quisque in ordine suo ..."

176 In emphasizing that reformation had to begin with the papacy, Cusa uses a favorite analogy, that of the eye as the body's light and guide: "In ecclesia igitur, si oculi, qui lucerna corporis esse debent tenebra sunt, utique ex hoc certum est totum corpus esse tenebrosum..." But since the eyes cannot see themselves, let 'visitatores' (i.e., those with spiritual sight) examine the papacy and judge it. (*Ibid.*, 285-293).

177 Cusa would have the pope select: "... tres ... visitatores, graves et maturos viros, in quibus forma Christi clare resplendeat." (*Ibid.*, 286). These deputies would then convene assemblies of the various church provinces to take up specific reforms. (*Ibid.*, 286-91).

But there are also significant points of contrast between the *Reformatio generalis* and the *De concordantia*. Not merely the empire but the whole *Christianitas* is the object of reform, as would befit a general papal bull.¹⁷⁸ For Cusa, writing in the pope's name, the papacy is now beyond doubt the sovereign authority in the church. There is no direct reference to the general council. Not surprisingly the earthly standard of Christiformity is no longer the decrees and decisions of the eight Greek general councils, but the canons and papal decrees over the centuries.¹⁷⁹ In particular, Cusa finds his model of curial health in the reign of Martin V, the first of the restoration popes after the Council of Constance.¹⁸⁰ Long before 1459, however, Cusa had made a *de facto* peace with the tradition of papal monarchy. His insistence in the *Reformatio generalis* on the reform of head as well as members indicates only some qualification in this basic acceptance.

Finally, Cusa gives much more consideration to personal reform and the sacraments than he had in his early work. In this respect the *Reformatio generalis* complements the *De concordantia*. The sacrament of penance, for example, is the divinely-instituted means by which individual Christians can recover the pure spiritual state possessed at baptism. Only then can one become truly Christ-like. The appointed visitors should have it as their major aim to lead the faithful back to the original form of baptismal innocence.¹⁸¹ As in the *De concordantia*, however, the language of Cusa's reform thought is not entirely oriented to the past. In one passage he urges the legates commissioned to carry out these tasks to introduce a better form [*melior forma*] where indicated. The draft also contains multiple references to the "aedificatio" and "augmentum" of the church.¹⁸²

But whether in its conciliarist or papalist forms, Cusa's reform ideology, like that of two other noted fifteenth-century reformers, Jean

178 "...cunctos Christianos reformare cupimus ..." (*Ibid.*, 285).

179 "...canones et libri pontificales" are to be followed, even as liturgical materials must be "...Romano ordini concordantes." (*Ibid.*, 287 & 295).

180 "...si nunc melius fieri nequit saltem totam curiam ad formam quam habuit quo Martinus papa gubernare incepit reducant." [This passage concludes the Munich exemplar of the *Reformatio generalis*, cod. lat. monacensis 422. It is published in Johann D  x, *Der deutsche Kard. N. von Cusa und die Kirche seiner Zeit*, 2, (Regensburg, 1847) 466. (Reprinted, Frankfurt, 1968)].

181 All our concern should be "...ut abluamur poenitentia et reinduamus formam innocentiae" (Eh  s ed., 285) "Visitatores curam habere debeant reformandos ad primam formam reducere puta generaliter omnes Christianos ad formam quam induerunt in bapt  smate dum fierent Christiani." (*Ibid.*, 286).

182 E. g., *ibid.*, 288: "Non est ... nobis ecclesia Christi credita in destructionem et diminutionem sed in aedificationem et augmentum eius et divini cultus." (See also 289, 292, 293, 297).

Gerson a generation before and Giles of Viterbo a generation after,¹⁸³ is essentially conservative and hierarchical. Like them Cusa emphasizes traditional principles of order and discipline to reenforce the hierarchical power and authority of the church and to deal thereby with deformity in its doctrines and operations.¹⁸⁴ In sum, Cusa in his post-conciliar reform thought can be seen to have maintained the essential features of the Neo-Platonic celestial hierarchy, altering only the priorities among the earthly means through which the heavenly archetype was best to be mediated. The supremacy of the general council had been replaced by the supremacy of Rome. Yet if Cusa during the legation had by papal order confined himself to reform at a level only below that of the episcopate, he returned in the *Reformatio generalis* to the full extent of hierarchical renovation. The document had little impact, however, because Pius II died before his bull *Pastor aeternus* embodying Cusa's recommendations could be issued.¹⁸⁵ As a result the *Reformatio generalis* was largely forgotten.

As to the original question of the success or failure of the German legation as a whole, the answer must lie, in any measurable sense, near to a judgment of failure. The Janssen-Pastor tradition which has accepted the Trithemius quote as a fair appraisal of the mission would seem rather to have mistaken auspicious circumstances and worthy intentions for the substance of reform achievement. The range of legation evidence, viewed cumulatively, does not support Trithemius' assertion that Cusa restored unity and peace in the German church. Nor does the legate seem significantly to have raised the level of papal prestige.

Only on the last part of the abbot's statement can there be unqualified agreement. Cusa did, through his sermons and through a carefully articulated reform program "scatter in abundance the seeds of new life." Most often, however, these seeds fell on infertile soil. The number of those stirred by Cusa's efforts to personal renewal may have been considerable, but firm evidence of this has largely evaded the net

183 Cf. Louis B. Pascoe, *John Gerson: Principles of Church Reform*, (Leiden, 1973) and John W. O'Malley, *Giles of Viterbo on Church and Reform* (Leiden, 1968).

184 In this connection, Jeffrey B. Russell has made a helpful distinction between the conservative type of reform noted and that which derives from a "prophetic" impulse little concerned with institutional, legal and political questions. (Cf. J. Russell, *History of Medieval Christianity*, [N.Y., 1968], 100-101).

185 Pius II in the *Pastor aeternus* did significantly modify Cusa's provision for reform of the papacy itself. For the rigorous, compulsory examination of the pontiff's activities Cusa had provided, the pope substituted a clause permitting "charitable critiques of his person and administration" that would have no binding effect. (Cf. R. Haubst, "Der Reformentwurf Pius des Zweiten," *Römische Quartalschrift*, 49 [1954], 208).

of contemporary records and chronicles.¹⁸⁶ In this connection it has been well observed that "nothing is so interior as faith. Nothing is so elusive as piety."¹⁸⁷

Regarding the causes and conditions of the cardinal's misfortunes in the Empire, it is clear how much the shadow of the past lay over the mission. Most prominent would be the tradition of ecclesiastical appeals to Rome, as well as the inveterate weakness of the imperial power. From the early twelfth century, and especially after the pontificate of Innocent II, the practice of appealing legal disputes and other cases to the curia as a court of first resort had been increasing. It has been persuasively argued that this had led, long before 1450, to a virtual curial monopoly of ecclesiastical justice, resulting in serious impairment of local diocesan initiative.¹⁸⁸ This appeals procedure served as a most effective way of neutralizing Cusa's measures. The comment of an anonymous scribe on the fate of the legate's proxy reform in Breslau might in fact stand as epitaph to the whole legation: "Reformatio non assumpta, quia clerus appellavit." Those unwilling or reluctant to follow Rome on much else were quick to avail themselves of the advantages of the papal legal system.

If this centralization of church judicial processes can be seen as a legacy of the Gregorian period, so too certain grave limitations in the exercise of imperial power stem from the struggle of Gregory VII with the Salian dynasty for control of the imperial church. Without the effective sanctions and sustained pressures which a strong secular authority could apply in assisting reform within the empire, any papal legate could well find impregnable the independent position of the territorial princes and the prince-bishops. These were the real victors in the church-state struggle in the Germanies.¹⁸⁹

But more immediately pressing were the realities of an incumbent pope and a Holy Roman emperor either unable or unwilling to challenge these legacies and limitations in their respective offices. In the first place Cusa faced the task of working as he could under a pontiff whose concern with reviving the post-conciliar position of the papacy in the North made him more disposed to temporizing with the prince-

186 The chronicler van Heilo did say that "... many of high and low rank alike, laity as well as clergy, were greatly moved in spirit by [Cusa's] words." (Quoted in Swalue, *op. cit.*, 59-60).

187 Roland Bainton, *The Reformation of the Sixteenth Century*, (Boston, 1952), 261.

188 Barraclough, *op. cit.*, 104 & 124-25. Cusa himself had in the *De concordantia* condemned this monopoly and had recommended a strengthening of local appeals courts to discourage the volume of cases flowing to Rome. (DCC, II, 31, pp. 270-72).

189 Geoffrey Barraclough, *The Origins of Modern Germany*, (N.Y., 1947), 135.

bishops, with the lesser clergy and with the secular powers than to sustain his deputy on many substantive reform issues.¹⁹⁰ In several instances Cusa did exceed his authority, or at least considerations of sound policy. But it seems more often a matter of the pope making broader political considerations determinant in a given case. Pope Nicholas had the power to dominate at least the appeals system in the interest of reform but he ultimately found it inadvisable to do so.

Certain provisions and language in the original papal commissions given Cusa led to other difficulties and confusions during the course of the legation. For example, the exemption of the bishops and (probably) of the mendicants from the legate's authority had left him helpless to implement his decrees where a receptive attitude was lacking. At the same time, a number of ambiguous phrases in the papal bulls provided a fulcrum of resistance to those already inclined against reform.

In the second place, the structural weakness of the imperial power was not contested by the Emperor Frederick III. Reigning since 1440, Frederick seems to have exhausted his limited political energies in pursuing Habsburg dynastic interests in Austria.¹⁹¹ A German chronicler has described his emperor's character and policies succinctly:

Desiring too much serenity, Frederick tolerates everything. The procrastinator, he believes, is secure because all is given him in good time. But ... he never shows force. However often complaints are made to him, that this or that must be done ... then he answers it is not yet time for changing the situation. Nor ... will this condition be fulfilled so long as he lives.¹⁹²

Meanwhile the *Fehden* so destructive of spiritual health and political stability continued to thrive in the Germanies. Domination of local churches as in Westphalia and Thuringia had become a way of life among the territorial princes of these areas. The result was that persistent fusion of church and state so evident to Cusa in the person of the prince-bishops.

But the ruin of Cusa's reform hopes in the Germanies can be located also in more specific features of the legation such as the cardinal's own mode of operation. Several modern authorities have seriously

190 Joachimsen, *op. cit.*, 13, points out, however, that it was Pope Nicholas' immediate predecessor, Eugene IV, who firmly established the policy of conceding ecclesiastical privileges and power to the German princes in return for their support against the conciliarist party.

191 After 1444, for example, the emperor did not enter the non-Habsburg territories of the empire for twenty-seven years.

192 Albert Cranz, *Welchchronik*, quoted in Hefele-Leclercq, *op. cit.*, VII, 1199.

questioned Cusa's approach to the problem of reform in Germany. Willy Andreas has concluded that the legate was seldom able to penetrate beyond symptoms and procedural matters to the roots of a deformity.¹⁹³ Joseph Koch has found the legatine decrees and letters, especially the later ones, to be so laden with commands and threats as to impress a forbiddingly authoritarian quality upon Cusa's reform efforts. Koch wonders how Cusa hoped to realize his goals without injecting a consistently spiritual and ethical content into these documents. Nor, conversely, is he able to understand how the cardinal could believe that lasting spiritual reform might be achieved through heavy reliance for enforcement on the secular power.¹⁹⁴

Karl Jaspers, finally, has discerned a sharp contrast between the "magnificent breadth" and "openness" of Cusa's best philosophical writings and the "stolid lack of imagination" (dumpfen Ernst) of the legate's performance in the Germanies. Jaspers contends that Cusa mistakenly stressed merely external or surface changes in institutions, badly neglecting the conversion of individual lives to a reform receptiveness that had necessarily to precede any institutional renewal. In Jaspers' view, Cusa engaged the reform issue, not by probing to its human and Biblical foundations ("on which he was so spendidly able to speak"), but rather by relying too exclusively upon narrowly ascetic and doctrinal remedies which could not touch the heart of the religious problem.¹⁹⁵ Jaspers also detects in Cusa a puzzling failure to provide a philosophical basis for his papally-sponsored reform activities to replace the coherent but soon superseded conciliarist positions from the *De concordantia*.¹⁹⁶

The preface to Cusa's *Reformatio generalis* of 1459 would alone indicate his continuing interest in the theory of reform.¹⁹⁷ Many of the other points raised, however, remain pertinent to any evaluation of the mission insofar as Cusa himself is concerned. There is, in the first place, reason to question the legate's ability to translate reform theory into

193 "Der Kardinal ... packte die Misstände nicht tief genug an der Würzel an, und seine Wirksamkeit blieb vielfach in der Ordnung der äusseren Dinge und Formen stecken." Andreas, *op. cit.*, 121.

194 "... statt tiefere religiöse Motive für die sittliche Reform ... mit Drohungen sein Ziel zu erreichen sucht ... [wie er] mit der weltlichen Macht ... eine sittliche Reform versprechen konnte, bleibt unklar." (Koch, *Umwelt*, 52. See also, *ibid.*, 56 & 65).

195 Jaspers, *op. cit.*, 204 & 209.

196 *Ibid.*, 210.

197 Cf. E. Iserloh, "Reform der Kirche bei N. von Kues," *Mitteilungen und Forschungsbeiträge der Cusanus-Gesellschaft*, 4 (1964), 66-69.

practice, to bridge the gap between the theological and pastoral components of the reform problem. Jaspers has rightly called attention to the discrepancy between the impressive reform rationale Cusa subscribed to and the rather pedestrian character of the disciplinary decrees that most typify the legation.

In short, Cusa perceived with clarity and expressed eloquently the scope of spiritual debilities in the church, personal as well as institutional. Further, he saw these as part of a broader social malaise in Christendom.¹⁹⁸ Over his career he demonstrated that he did possess a full ideology of reform, from the metaphysical first principles to the specific programs to realize them. He likewise displayed in his personal life an intense commitment to the eminently *devotio moderna* values of Christocentric simplicity and genuine inner conversion as the real bases of abiding reform. Yet somewhere between such sterling ideas and values and their application to the plight of the German church there occurred the disjunction noted. The cardinal was rarely able to communicate effectively his spiritual vision, possibly because the means he used (the synods, decrees, letters and sermons) seldom moved beyond the specifics of discipline, administration and condemnation.¹⁹⁹ Perhaps it is the canon lawyer that is too much evident in the decrees of 1451-52.

Cusa's conduct can be seen to have complicated his task in other ways. It is relevant here to point out the extent to which the legate was himself directly involved in the system he criticized so vigorously. At the time he began the legation in 1451 Cusa held title to more than twenty benefices of various types.²⁰⁰ He received income from most of these. However widespread the practice was among high churchmen and however well Cusa apparently provided for his holdings, their very existence and number could easily have made suspect the disinterestedness and seriousness of his reform proposals.

Finally, a tendency in Cusa to petulance and to empty threats of force, particularly following the Magdeburg visitation, could only aggravate a situation already near deadlock in the disparity between the goals sought and the means available to achieve them. Cusa's position as a papal representative, most often without effective power to impose

198 Cf. Rudolf Stadelmann, *Vom Geist des ausgehenden Mittelalters*, (Halle, 1929), 238. (Reprinted, Stuttgart, 1966).

199 The available sketches of Cusa's sermons do reflect many of the devotional aspects of spirituality, though they seem to do so too obliquely and incidentally to balance alone the effects of the other reform media.

200 Cf. Erich Meuthen, "Die Pfründen des Cusanus," *Mitteilungen und Forschungsbeiträge der Cusanus-Gesellschaft*, 2 (1962), 15-58 *passim* & 59.

the decrees promulgated or to invoke the sanctions threatened, could inspire reform compliance mostly by the prestige of his rank, by persuasion, and by the silent eloquence of his personal example. When the combined pressures of frustration and of weariness led him to measures he could not conceivably carry through, then he in effect smoothed the way to rebuffs more serious than they might otherwise have been. Similarly open to question is his judgment on two or three occasions as to the extent of his legatine powers. The Liège visitation and the dispute with the Cologne mendicants would be cases most in point here, again occurring toward the conclusion of the mission.

Certainly to be set against these personal failings and encumbrances, however, is the brevity of Cusa's tour, particularly as compared with the nature and magnitude of the responsibilities assigned him. The fact that he could not remain to supervise and adjust the application of his decrees and programs explains much of the often superficial results realized. Moreover, the number of separate commissions given the legate over his fifteen-month sojourn could have easily occupied several legates over their careers.

Dependent therefore on the chance good will of an archbishop (as in Magdeburg province) or on existing regional monastic reform currents (such as the Melk, Bursfeld and Windesheim congregations), Cusa did what he could, and this with apparently unflagging zeal. But there were simply too many prelates like the von Hoyas, the Magnuses of Hildesheim, the van Heinsbergs and the von Sircks. There were, of course, many less blatant examples, such as the archbishops of Salzburg, Mainz and Cologne, men not openly averse to reform but less than eager, at best, for the cardinal's ministrations. The interminable *Fehden* of the Cologne Archbishop von Mörs, for instance, show him to have been as deeply entangled in contemporary dynastic and property disputes as many of the more avowedly anti-reform prelates of the Empire.

Caught between contending forces of conciliarism and papalism, Cusa had early in his career opted for the latter on grounds more pragmatic than theoretic. Still he found elusive the goals of enduring personal and institutional reform within the Roman church. His legation efforts foundered against the realities of a social and political situation possibly too complex for any individual to master. Quite beyond the reach of any reform ideology or synodal decrees was the *Eigenkirche*, the deep-set property system of the Germanies. Its most obvious effect, sanctified by centuries of more or less unfettered develop-

ment, was the reduction of the institutional church to little more than a tool of feudal secular interests.²⁰¹

But Cusa's failure as legate in the Germanies clearly meant more than the frustration of one man's ambition of bringing spiritual renewal to his homeland. As an important episode among pre-Reformation papal reform endeavors stretching from the Council of Constance to the Fifth Lateran in 1512, the legation represented another opportunity for self-renewal dissipated by the late medieval church. It can be seen, in any case, to imply conditions and consequences much larger than itself. The abundant signs of spiritual neglect and decay observed (the simony, the concubinage, the superstition, the ignorance of doctrine, the feudal war wracking whole dioceses) would remain essentially unchecked through two succeeding generations. Then the cause of serious reform in the Germanies found a voice that was at last heard. But Luther's solution was one which turned most of the German North permanently from Rome.

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²⁰¹ Joachimsen, *op. cit.*, 49. argues convincingly that Cusa's double failure as legate in Germany and as bishop of Brixen reveals above all that "...in der Struktur des deutschen sozialen und politischen Körpers Kräfte lebten die weder eine Reform aus dem Geiste des reformierten Mönchtums noch eine neue cluniezienische Hierarchie zuließen." Joachimsen thus concludes that Cusa encountered social and political structures virtually impervious to any reform.

THE PROBLEM OF OE *HOLMWUDU*

Carl T. Berkhout

CONTINUED uncertainty about the meaning of *holmwudu* in *The Dream of the Rood* has hindered a full appreciation of the interesting passage in which this unique compound occurs:

Hwæt, me þa geweorðode wuldres ealdor
ofer holmwudu, heofonrices weard!
Swylce swa he his modor eac, Marian sylfe,
ælmhtig god for ealle menn
geweorðode ofer eall wifa cynn. (90-94)¹

The Christological referents in the analogy are the Crucifixion and the Annunciation (Christ's conception), but the doctrinal significance is the spiritual efficacy of both events *for ealle menn*. The poem is no longer fixed on the gloomy circumstances of Christ's death on Calvary, but now stresses the joyous eschatological implications of the Cross for the dreamer and others. The Cross, which is speaking, makes this clear in the preceding lines: *ærþan ic him lifes weg / rihtne gerymde, reordberendum* (88b-89); no longer a hated instrument of death, it becomes the means of salvation, the *via vitae* for mankind. The effect of the analogy is thus to illustrate that the Cross is the Way just as Christ is the Way, and to enhance the hopeful, beatific tone which the poem now assumes. With this in mind, I propose that the MS. *holmwudu* be kept and that it be translated as it surely would be in nearly any other context: "sea-wood," "ship."

This reading, unfortunately discarded long ago, seems far more plausible and more appropriate to the poem as a whole than the two readings generally favored. Most editors have emended to *holtwudu*,

¹ All quotations of the poem are taken from George P. Krapp, ed., *The Vercelli Book*, Anglo-Saxon Poetic Records 2 (New York, 1932).

"tree(s) of the forest," which makes good sense and is supported by its occurrence in other poems;² but for those who feel, with Krapp, that "there seems no convincing reason for thinking that the scribe miswrote *holm-* for *holt-* here" (pp. 131-32), this aspect of the *crux* remains a *crux*. Where *holmwudu* is retained, however, it is usually done so on the basis of OS *holm*, "hill." Thus it stands in Swanton's recent edition ("wood on the hill") and in Huppé's textual study of the poem ("holm-tree," with reference to the "tree of Golgotha").³ Grein, *Sprachschatz*, glosses the word as *lignum montis*, and s.v. *holm* he notes, "eigentlich wohl die abgerundete Höhe, verwandt mit lat. *collis*, *culmen* und russ. *holm* Hügel (vgl. *Kulm*); alts. *holm collis*, *mons*...."⁴ This perhaps explains the use of the word as a term for the high, billowing seas, but there is no real evidence that any meaning other than its transferred sense survived in Old English poetic usage. (The word in its original sense may have been reintroduced later under the influence of its ON cognate *Holmr*, "island," thus accounting for its use in Layamon and elsewhere in Middle English). Support for the *lignum montis* reading is nevertheless claimed from Ekwall's theory that the first element of "Homestreu" (Holmestrowe), a Sussex hundred-name recorded in the Domesday Book, is derived from OS *holm*.⁵ But this theory, too, is uncertain. The apparent genitival coupling of this compound produces a questionable place-name for a rather expansive coastal hundred; and "Homes-" could as likely be taken from a (non-Scandinavian) personal name.⁶

² The emendation *holtwudu* is accepted by J. M. Kemble, *The Poetry of the Codex Vercellensis*, pt. 2 (London, 1856; repr. New York and London, 1971); Albert S. Cook, *The Dream of the Rood* (Oxford, 1905); Bruce Dickins and Alan S. C. Ross, *The Dream of the Rood* (London, 1954; New York, 1966); John C. Pope, *Seven Old English Poems* (New York, 1966); et al. This emended form yields a line which echoes a series of antiphons in the York Breviary and a Good Friday refrain taken from the *Pange Lingua* of Fortunatus ("Crux fidelis, inter omnes arbor una nobilis"); see Cook, p. 41.

³ Michael Swanton, ed., *The Dream of the Rood* (Manchester and New York, 1970), p. 128; Bernard F. Huppé, *The Web of Words* (Albany, N.Y., 1970), pp. 71 and 102. Another suggestion for keeping *holmwudu* is offered by R. E. Kase (w. acknowledgment to Thomas D. Hill): "its meaning would be that the Cross was honored above the other 'trees by the water'—i.e., the other trees of Paradise" ("A Poem of the Cross in the Exeter Book: 'Riddle 60' and 'The Husband's Message,'" *Traditio* 23 (1967), 67, n. 69).

⁴ For a convenient survey of the meanings and connotations of the OS word and its various cognates, see E. C. Metzenthin, "Die Heimat der Adressaten des Heliand: Die Bedeutung von 'holm,'" *JEGP* 21 (1922), 480-86.

⁵ Eilert Ekwall, review of Ritter, *Anglia Beiblatt* 35 (1924), 28. I can find no instance of the form "Holmes-" in this name before the late twelfth century; "Holmestreu" in Swanton, p. 128, is apparently a misprint.

⁶ See A. Mawer and F. M. Stenton, *The Place-Names of Sussex*, pt. 2, English Place-Name Society, 7 (Cambridge, 1930), 323.

Regardless, the name can offer only the most exiguous support for a particular reading of an early poetic compound.

Dickins and Ross, rejecting *holmwudu*, argue that "it would be difficult to justify it in the context, either with *holm* 'sea' ('sea-wood' = 'mast'?) or with *holm* as the congruent of OSax *holm*, 'hill' ..." (p. 31). In as much as "mast" must presuppose a ship which represents the Church, I should agree; this, of course, is a familiar figure in early allegorical exegesis, but neither the Church nor its common Old Testament type, Noah's Ark, appears to have a direct bearing on the thematic content of this poem.⁷ On the other hand, if *holmwudu* has a nautical meaning — as I believe it does — it must surely be "ship," not "mast," considering the many similar OE compounds such as *brimwudu*, *flodwudu*, *sæwudu*, and *sundwudu*, all of which clearly refer to ships.⁸

The pre-eminent ship, or sea-wood, is the Cross itself. This image perfectly fulfills the sense of the analogy and is entirely consonant with the "journey to the eternal homeland" theme which is laced throughout the latter half of the poem. The Cross as *lignum maris* transports the faithful across the "sea" of this life to the heavenly *patria*. The Cross introduces this theme in the *lifes weg* passage preceding the *holmwudu* analogy (above) and returns to it in the final words of exhortation to the dreamer:

ac ðurh ða rode sceal rice gesecan
of eorðwege æghwylc sawl,
seo þe mid wealdende wunian þenced. (119-21)

Both passages echo Augustine's explanation of the *via ad patriam* in his commentary on John, where the Cross is the sea-wood by which the homeland is reached:

Instituit lignum quo mare transeamus. Nemo enim potest transire mare hujus saeculi, nisi cruce Christi portatus et fluctibus hujus saeculi interrupta est via, et qua transeatur ad patriam non est, nisi ligno porteris. Ingrate, irrides eum qui ad te venit ut redeas! Ipse factus est via, et hoc per mare: inde in mari ambulavit, ut ostenderet esse in mari viam. Sed tu,

7 Friedrich Kluge, *Angelsächsisches Lesebuch* (Halle, 1888), keeps the MS. as "Schiff," and several later editors have acknowledged this reading as an alternate possibility; as far as I know, however, no one has undertaken to explain the appropriateness of "ship" to its poetic context.

For the classical background and Christian application of the ship-metaphor and related nautical figures, see the comprehensive serial monograph by Hugo Rahner, "Antenna Crucis," *Zeitschrift für katholische Theologie* 65 (1941), 123-52; 66 (1942), 89-118 and 196-227; 67 (1943), 1-21; 75 (1953), 129-73 and 385-410; 79 (1957), 129-69. See esp. "Schiff aus Holz und Kreuzholz," 67: 1-21.

8 Cf. *Beowulf*, 208, 226, 1906; *Christ* 677, 853; *Elene* 244; *Guthlac* 1331.

qui quomodo ipse ambulare in mari non potes, navi portare, ligno portare: crede in crucifixum, et poteris pervenire.⁹

Augustine applies the same imagery in one of his sermons, again stipulating that the *navis* is the wood of the Cross, not the Church: "Opus est in navi simus, hoc est, ut in ligno portemur, ut mare hoc transire valeamus. Hoc autem lignum, quo infirmitas nostra portatur, crux est Domini"¹⁰ The same central idea, "lignum Christi te per mare trajicit," appears in other sermons and in his commentaries on the Psalms.¹¹ Outside of Augustine there are few unambiguous uses of the image of the Cross as a ship, but two lines in the *Pange Lingua* are worth noting. They are every bit as suggestive of the *holmwudu* passage as the line mentioned in support of *holtunudu*:

Sola digna tu fuisti ferre saeculi pretium
atque portum praeparare nauta mundo naufrago.¹²

It is a bold departure from the traditional ship-metaphor introduced by Hippolytus, but it is firmly established in Augustine's writings and would have appealed to the Old English poet as yet another of the Cross's multiple aspects.

The doctrinal aspects of the Cross in *The Dream of the Rood* are indeed as variegated as the physical aspects which the dreamer sees at the poem's beginning; it is the poet's method to explore and then to orchestrate the manifold implications of the event on Calvary — and *holmwudu* remains an important detail in this scheme even as the poet draws these implications together at the end of the poem. The dreamer, *afysed on forðwege*, comes to regard the Cross as his means of reaching the *heofonlicne ham* (124b-48a). His friends have already made the journey (132-35); and, as if to underscore the importance of this theme, Christ's Ascension is described as a triumphant return-journey to His homeland: *Se sunu wæs sigorfæst on þam siðfate, ... þær his eðel wæs* (150-56). It is for this journey, which men must also make, that the Cross is honored above all other vessels.

⁹ In *Joannis Evangelium*, II. i. 2-4 (PL 35: 1389-91).

¹⁰ *Sermo* 75 (PL 38: 475).

¹¹ *Enarrationes in Psalmos*, 95, *sermo* (a), 11 (PL 37: 1234). Cf. esp. *In Ps.*, 103, *sermo* iv. 4 (PL 37: 1380) and 118, *sermo* xxvi. 9 (PL 37: 1579).

¹² Also, cf. the epithet "navis tuta" in an eleventh-century hymn composed in the style of the *Pange Lingua*, in Josef Szövérfly, *Die Annalen der lateinischen Hymnendichtung*, 2 (Berlin, 1964), 365. I have made no effort to examine the possible iconographic evidence for the interpretation in this paper, but I must call attention to the eighth-century Irish illustration reprinted by Huppé (opp. p. 42), which suggests a symbolic parallel between the Cross and a ship.

Like so many other lines in this poem, the *holmwudu* analogy reveals the poet's virtuosity in matters of suggesting profound theological concepts by means of single vivid words or phrases. Just as, for example, he portrays Christ as "mounting" and "embracing" the Cross (34b, 42a), he likewise violates, or transcends, literal circumstance in favor of the striking *lignum crucis: navis* — a fresh, sudden image, but repeatedly implied throughout the poem, which helps to focus the eschatological meaning of the way of the Cross for both the dreamer and the reader. Henri Rondet's comment on this image in Augustine is in this respect equally appropriate, I think, to its appearance in *The Dream of the Rood*: "L'image est audacieuse; elle sera cependant reprise bien des fois, et souvent les auditeurs, familiarisés avec ce symbolisme, comprendront une allusion qui, isolée, échappe au lecteur d'aujourd'hui."¹³

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¹³ "Le symbolisme de la mer chez saint Augustin," *Augustinus Magister*, Congrès International Augustinien, 2 (Paris, 1954), 691-701. See also a supplementary note to this article by François Chatillon, *Revue du moyen âge latin* 10 (1954), 218-19.

THE *LIBER MONSTRORUM* AND *BEOWULF*

L. G. Whitbread

WERE it not for one brief allusion to the death of a giant Hugilaicus, king of the Getae, and the identity of this king with the Hygelac who rules the Geats in *Beowulf*, the *Liber monstrorum* (*de diversis generibus*, or by alternative title the *De monstis et beluis*) might have remained one of the minor curiosities of medieval Latin. It is a short work, mostly unelaborate, impersonal, and unpretentious, a derivative and somewhat critical catalogue of prodigies, monsters, wild beasts, and serpents, largely drawn from classical and post-classical Latin materials.¹ It is also scientific in the rather simple sense, a collection of samples or data with no attempt, beyond an occasional note of scepticism, to impose upon the raw material any philosophy, or moral allegory, or theological interpretation; not all medieval texts of its kind are so restrained. Authorship is unknown; neither date nor locality is precisely determined. On its own merits it scarcely deserves more than a small niche in the voluminous literature of superstitions, fables, and marvels. It has not

¹ Its own "distinctly superior Latin" is acknowledged by so shrewd a judge as M. L. W. Laistner, *Thought and Letters in Western Europe A. D. 500 to 900*, 2nd ed. (London, 1957), p. 178. — I regularly refer to the work as the *Liber*, and to these editions and studies of it by author's name only:

Berger = J. Berger de Xivrey, ed., *Traditions Têratologiques* (Paris, 1836), pp. 2-330, the first printed edition.

Haupt = M. Haupt, ed., "Index lectionum aestivarum 1863," in his *Opuscula*, 2 (Berlin, 1876, reprinted Hildesheim, 1967), 218-252; where this text is used below for quotations, I further abbreviate to H, followed by page and line numbers.

Manitius = M. Manitius, "Liber monstrorum de diversis generibus," in his *Geschichte der lateinischen Literatur des Mittelalters*, I, *Handbuch der klassischen Altertums-Wissenschaft*, IX.2.1 (Munich, 1911), 114-118.

Thomas = A. Thomas, "Un Manuscrit inutilisé du Liber monstrorum (Bibl. de Leide, Voss. lat. oct. 60)," *Bulletin Du Cange, Archivum Latinitatis Medii Aevi*, 1 (1925), 232-245.

Additionally, Klaeber = F. Klaeber, ed., *Beowulf and the Fight at Finnsburg*, 3rd ed. with Supplements (Boston, 1950). I have not seen Douglas R. Biturff, "The Monsters and the Scholars, an Edition and Critical Study of the *Liber Monstrorum*," (University of Illinois dissertation, 1968).

achieved a modern translation, critical edition, or commentary incorporating all the known early copies, analogues, or possible influences; scholarly interest has been mostly confined to assessing its role, by no means yet generally settled, as a lesser satellite within the large orbit of *Beowulf*. Not much has yet been done to resolve the more general problems, or to take up the challenge of one of its most notable publicists, that "the *Liber Monstrorum* and the texts related to it might repay closer study."² The notes and comments that follow make some attempt in the direction of a general reassessment, and offer some reconsideration of the Hygelac allusion and other possible affinities to *Beowulf*, not in isolation but within the framework and circumstances of the complete work. I consider successively (1) the scope and arrangement of the work, (2) its literary sources, (3) the evidence for provenance, date, and authorship, and (4) the *Beowulf* connection.

1. SCOPE AND ARRANGEMENT

According to the text evolved by Moritz Haupt from two of the four known copies, the *Liber* consists of three books, respectively 57, 34, and 25 short sections, divided straightforwardly by topics. The author's overall plan is made clear in his first words, which he addresses to an unnamed patron:³

Your enquiry concerned the hidden regions of the earth, and whether there were as many kinds of authentic monsters as are said to be reared in remote corners of the world, beyond the deserts, the islands of Ocean, and the secluded tracts of the furthest mountains. You asked me particularly to say something of the three terrestrial species which strike most awe and terror in the human race, that is, to describe [I] the monstrous offspring of men, [II] the many hideous shapes of wild animals or beasts, and [III] the foul sorts of dragons, serpents, and vipers.

De occulto orbis terrarum situ interrogasti et si tanta monstrorum essent genera credenda quanta in abditis mundi partibus per deserta et Oceani insulas et in ultimorum montium latebris nutrita monstrantur, et praecipue de his tribus orbis terrae generibus respondere petebas quae maximum formidinis terrorem humano generi incutiant, ut de monstruosis hominum partibus describerem et de ferarum horribilibus numerosisque bestiarum formis et draconum dirissimis serpentiumque ac viperarum generibus.

² Dorothy Whitelock, *The Audience of Beowulf* (Oxford, 1951), p. 53.

³ H.221.3-222.1. By "Oceanus" is intended the traditional notion of a sea conceived as encircling the whole land-mass of the earth; compare Isidore, *Etymologies*, XIII.15.1 ("it runs round the earth in the shape of a circle"), also *Beowulf*, 92-93: *se Ælmihtiga eorðan worhte, wlitebeorhtne wang, swa wæter bebugeð*, similarly 1223.

On this plan, book I is concerned with monsters with human shape and characteristics, book II with *bestiae* or wild and predatory animals (as opposed to those that are harmless or can be tamed), and book III with snakes and other reptiles. The author adds at the start that he will begin with the more credible examples, and specifically with prodigies little different from normal men; the more exotic specimens of monstrosity are for him, he says, a thing of the past, a largely outmoded, if not positively antediluvian, set of superstitions:⁴

I shall speak first of those marvels which have some claim to be believed, and each can make up his own mind, on such a story as follows, when [in I.6] among these lairs of monsters I am to describe the shape of the mermaid Siren, whether it be reasonable to his mind that such fabulous beings of these various kinds should be covered with hair and fish scales. At the beginning my account first gives prominence to what is less completely separated from the human race, thence proceeding to give some treatment to ones which Earth fosters as the nurse of mortals, or is held to have once fostered, since now, with the human race multiplied and spread throughout the earth, monsters are less frequently produced in the sublunary world, and through nearly every corner of the globe we read of them as entirely eradicated and destroyed.

Et de his primum eloquar quae sunt aliquo modo credenda, et sequentem historiam sibi quisque discernat, quod per haec antra monstrorum marinae puellae quandam formulam sirinae depingam, ut sit capite rationis quod tantae diversorum generum hispidae squamosaeque secuntur fabulae. Primo namque de his ad ortum sermo prorumpit quae leviori discretu ab humano genere distant, daturus operam de singulis quae terra fovet mortalium nutrix aut condam fovisse fertur, quia nunc, humano genere multiplicato et terrarum orbe repleto, sub astris minus producuntur monstra, quae ab ipsis per plurimos terrae angulos eradicata funditus et subversa legimus.

Then come the specimens. Book I.2 refers to a certain hermaphroditic prostitute, personally known to the author, and not exceptional (compare the one mentioned by Pliny, *Natural History*, VII.4.36, and his comment *non est fabulosum*). We are still presumably within the range of credibility with I.3, the Hygelac allusion, I.4, the Colossus which in its human features seems to be a folklore version of Nero, and I.5, rational beings with the slight abnormality of large size and four extra digits.⁵

4 H.222.16-223.1. The phrase about Earth as nurse of men is from Virgil, applied to Fame (*Aen.* IV.178-179, the source of I.42 in the *Liber*) and more pertinently to the giant Tityos (*Aen.* VI.597 ff.), who is to be described with the same phrase in I.47.

5 A Berlin surgeon, Dr. Jakob Ruhe (died 1823), belonged to a famous family of hexadactyls: for six generations before him each male was born with six fingers on each hand and six toes on each foot.

We then move to more fabulous specimens, most extracted from classical sources, and can no longer say, as Macbeth said to the murderers, that in the catalogue they go for men. Book I.6 ff. deal with Fauns, Sirens, Centaurs, a double-limbed Asiatic (authenticated in Augustine's *City of God*, XVI.8), Centaur asses, the Cyclopes, and Scylla. At I.15 comes the first example, to be followed sporadically by others, of more oriental marvels from what may be called the Alexander saga, here the Ichthyophagi (as Isidore calls them) or hair-covered Indians who subsist on fish. Pliny, Augustine, and Isidore, along with this oriental material, provide most of the immediately subsequent sections, I.16 ff., on dog-heads (Cynocephali), shady-feet (Sciapodae), long-haired hermits, hermaphrodites (elsewhere called Androgyni), double-faced Nilotics, mouthless men subsisting on air and odors (elsewhere Scyritae or Astonii), Armenian bearded women, pygmies (fighting cranes as in Homer, *Il.* III.3 ff.), the headless men with eyes in their shoulders (still known to Othello and Gonzalo), a man with crescent-shaped soles to his feet, handsome Orientals living on raw meat and honey (elsewhere Catini), short-lived peoples who propagate at five years and die at eight (elsewhere Calingi), ox-tailed giantesses, creatures with reversed feet for heads, coal-black Ethiopians (the author has himself seen one of them); back to the classics or Augustine for Cacus; then swamp-monsters with three heads, Proteus, Orientals with glowing eyes, Cerberus, Midas, the Gorgons, Argus, polyglot cannibals, the man-faced beasts of Circe, a nocturnal predator (in origin, Virgil's Fama of *Aen.* IV.173 ff.), men with ears like winnowing fans (elsewhere Panotii), the Harpies, Eumenides, Satyrs, the giants Tityos and Aegaeon (Virgil's Briareus), Dracontopodes with dragon tails, the Minotaur, Eryx, Triton, the Antipodes, ocean-striding giants, the sons of Aloeus, Orion, and finally what seems to be a garbled list of the Titans, in sum a collection both catholic and unholy.

Book II turns to the wild and untamable animals, again moving from the natural and credible to the unnatural and legendary: the lion, elephant, wild ass, tiger, lynx, leopard, panther, the beast of Lerna, hippopotamus, sea-beasts with eight legs and two heads (giant octopi or squids?), the Chimaera, what seems to be a rhinoceros, Cynopeni or dog-horses, Cerberus once again, giant ants, the 'Tyrant-tooth' (the rhinoceros again?), hippopotamus once more, leopards (thought of as hybrids), sea-dogs, nocturnal shape-changers (II.21, slightly reminiscent of Grendel and the dragon in *Beowulf*), Nilotic monsters, a two-headed beast rather like a crocodile, the 'antholops' (as Caesar, Pliny, and the Physiologus knew it), crocodiles of Egypt, the whale, two-legged horses,

mice as large as foxes, unspecified beasts of the Ganges, an Armenian mountain, and the Mediterranean, and finally the bulls of Colchis and the double-tailed beasts encountered by Alexander in India.

Book III is reptilian: the Hydra, two-headed Assyrian snakes, horned snakes ('cerastares') of India, a giant serpent of Calabria, 'Corsia' or Arabian serpents living among the peppertrees, Indian serpents each with two or three crested heads, a rainbow-hued snake from Sicily, the monster serpent killed by Regulus' army in the first Punic War, the twin serpents which tore to pieces Laocoon and his sons, Indian snakes bearing (like Shakespeare's toad) precious stones in their necks, a Mediterranean island dominated by a bristly serpent of vast bulk, the black snake of the Stygian marsh, the salamander, Cerastes or horned serpents, Chelydri or black desert snakes, the venomous Coluber, Viper, and 'Ophites', the twin serpents throttled by Hercules, Hydri or aquatic snakes, the asp, the viper-scurge of Tisiphone, and a final section dismissing other reptilian species "about which there is nothing extraordinary or worthy of wonder."⁶

The writer would no doubt subscribe to the traditionalist view of the philosopher John Locke, that "in all the visible corporeal world we see no chasms or gaps,"⁷ the ordered hierarchy in nature of which the notion goes back to Aristotle's *History of Animals*. His book II, in particular, begins with animals in the standard order (lion, elephant, tiger, etc.) familiar from a multiplicity of medieval bestiaries. But no such elaborate systematization is being fully implemented. As with many other medieval treatises, the work starts formally and elaborately, but ends more because interest and invention have flagged than because the subject has been methodically exhausted. Even so, some careless repetition, e.g. on Scylla, Cerberus, and the Lernaean Hydra, has been allowed to creep in.

The work, though it deals largely in pagan lore, is in tone and style unobtrusively Christian. A proportion of its major source materials is in the Christian tradition, Augustine and Isidore conspicuously so, and the oriental marvel literature on which it draws may also be termed acceptable monastic reading when one recalls the make-up of the *Beowulf* manuscript, with its vernacular versions of *Alexander's Letter and Wonders*

6 H.252.22-23: "de quibus iam nihil singulare et admiratione dignum repperi." On this subdued note the work ends. The Mediterranean island abounding in snakes is presumably the fabled 'Ophius(s)a' (of Milton, PL, 10.524 ff.), variously identified in classical texts with Rhodes, Cyprus or one of the Balearics.

7 *Essay concerning Human Understanding* (1690), III.6.12.

of the East alongside a fragment of a life of St. Christopher and a poem on Judith. As to wording, Manilius has drawn attention to an echo of Psalm 118 (119): 105, "Thy word is a lamp unto my feet;"⁸ to the expression *ut gentiles aiunt*, "as the pagans state," added in one copy to an allusion to Scylla;⁹ to the frequent use of introductory connectives (*et*, *quoque*, *enim*, *autem*, *namque*), reminiscent of the Latin Bible;¹⁰ and to the Christian standpoint of the many polemical references in disparagement of ancient mythological invention.¹¹ I would add that the Biblical

8 Manilius, p. 114, "Lucerna pedibus meis verbum tuum" compared with *Liber*, II.1, "lucernam verbi postulantis" (H.237.17). The Centaur asses of I.11 ("onocentauri," H.226.4) are found in Isaiah 34: 14, and the cockatrice or basilisk of III.25 ("reguli," H.252.21) in Ps. 90(91).13, Isaiah 14: 29. Possibly the triple division is meant to reflect the order of creation in such texts as Gen. 1: 26, 30, 6: 7, Ps. 147 (148): 10-11; but the classification is commonplace, e.g., Virgil, *Aen.* VI.728-729, and no doubt *Beowulf*, 1426-30.

9 *Liber*, I.14 (H.227.8, note).

10 For instance, at the start of I.3, 4, 5, 9, 12, 13, 15, 17, 19, 21, 23, 25, 29, 32, 34, 36, 42, 47, 52, II.13, 14, 16, 18, 21, 24, 28, 34, III.7, 10, 13, 19.

11 Tales and fables taken from mythology are regularly prefaced with cautionary terms, *legimus*, *legitur*, *dicunt(ur)*, *ferunt*, *didicimus*, *perhibetur*, and the like. Representative instances of disparagement follow: at the start, I.1 (H.222.4), writings of poets and philosophers are *mendacia ea nemini iteranda*, falsehoods not worth repeating to anyone, and similarly as book II opens (H.237.21-22), *poetae ac philosophi aurato in suis sermone litteraturis inaniter depingunt*, poets and philosophers idly describe with ornate words in their writings; I.19 (H.228.14), *in his incredibilibus*, among things hard to believe, of a hermaphroditic species; I.21 (H.229.5-6), *Graecorum historiae ... perhibent*, stories of the Greeks declare, of mouthless beings; I.34 (H.231.17-18), *quod credere profanum est*, it is wrong to believe this, of three-headed monsters lurking in swamps; I.37 (H.232.19), *quod nemo nisi veritatem spernens credit*, what no one except a flouter of the truth believes, of Midas; I.42 (H.233.12), *quod dici nefandum est*, what is sinful to be said, of a nocturnal monster; I.45 (H.234.5-6), *vana historia*, an idle tale, of the Eumenides; I.49 and 50 (H.234.21, 235.3-4), *ferunt fabulae Graecorum* and *in isdem fabulosis Graecorum fictionibus*, fabled inventions of the Greeks, of dragon-tailed giants and the Minotaur; I.57 (H.236.19), *de quibus taedium est plus scribere*, it is tedious to write more about such, as a final remark on book I; II.9 (H.239.19-240.2), *ferunt fabulae Graecorum plurima in libris antiquitatum suae philosophiae quondam fuisse quae nunc incredibilia videntur*, many fables of the Greeks in their ancient books of philosophy record that there were once what are now considered unbelievable happenings, of the Hydra; II.11 (H.240.13), *ipsa fabulositas perhibet*, the invention of fables proclaims, of what seem to be giant octopi; II.15 (H.241.9), *turpi depromunt mendacio*, they state with a shameful lie, of Cerberus; II.16 (H.241.11), *inter ipsa quae dicunt inania*, among things which they brand as irresponsible, of giant ants; II.18 (H.242.6), *cum his incredibilibus*, among such unbelievable things, of the hippopotami; II.28 (H.245.9-10), *et scribunt Romani cum Graecis per ipsas poeticas incredibilium rerum fabulas*, Romans as well as Greeks describe in their poetic fables of unbelievable phenomena, of Neptune's sea-horses; III.13 (H.249.19-20), *rumorosa sermone gentes ... describunt*, people given to hearsay write, of the Stygian serpent; III.23 (H.252.3), *in his enim poetarum fictionibus*, in these inventions of the poets, of Cleopatra and the asp; and finally, III.25 (H.252.29-20), *quaedam vera, quaedam namque omni veritate carentia*, some true and some devoid of all truth, said generally of other reptile stories. The tone of such phrasing may remind us of the sixth-century mythographer Fulgentius, who in his *Mythologies* is strongly opposed to Greek *poeticae garrulantes ineptias* and *poetica garrulitas*, ed. R. Helm, *Fulgentii opera* (Leipzig, 1898), pp. 11, 31; but our author shows no sign of wishing to adapt the pagan myths to moral allegory in the manner of Fulgentius. In one contrasting instance, I.25 (H.230.1), the story of a man with crescent-shaped soles to his feet is termed *fidei historia*, a reliable account, because it is based on the personal testimony of Augustine, *City of God*, XVI.8.

notion of the giants drowned in the Flood (Gen. 6: 4-7, Wisdom 14: 6), or groaning beneath the waters (Job 26: 5), favorite passages in patristic commentary, seems to be echoed in the elaborately phrased last sentence of I.1, the introductory prologue:¹²

monsters ... now banished and hurled down the shores into the waves, as, twisting and whirling through the sky, down from the heights in a circuit of the whole orbit and surface of the earth, they plunge into the vast abyss of the whirlpool.

monstra ... nunc revulsa litoribus prona torquentur ad undas quaeque turbine poli vertice sub arduo a totius gyri ambitu et omni loco terrarum ad hanc vastam gurgitis se voraginem vergunt.

This, in more prosaic terms, is the fate of the dragon in *Beowulf*, 3131-33.

2. LITERARY SOURCES

Despite the opening phrase "on the authority of numerous accounts," the authorities mentioned by name are, as is usual in medieval commentaries, very few. The poet Lucan is named for two references to Orpheus (I.6, III.8). One copy only adds to I.47 that "it is read in Virgil" (H.234.15: *in Virgilio legitur*); later, in III.10, Virgil is "Maro the distinguished poet" (H.249.4: *ut Maro praecipuus poeta cecinit*). In II.3 and 29, "Alexander of Macedon wrote to Aristotle the philosopher" (H.238.11-13, 244.13-14), i.e. the *Alexander's Letter* already mentioned. In III.17 comes a more puzzling reference to sources (H.250.20-23):

The Coluber snake is a very fearsome and venomous reptile, accustomed to lurking in shadow and under roofs, and so without warning injuring with its poisonous bites. Octavian the grammarian has listed *colubra* as the feminine.

Coluber genus est diri valde ac venemosi serpentis, qui umbris et tecto succedere solet et ita et inprovisus et venenosis morsibus nocet. Quem Octavianus grammaticus femini generis colubram nominavit.

No grammarian Octavianus is known, though *grammaticus* would cover scholars and teachers as well as strict grammarians, and a poet of the name appears in the *African Anthology*, or *Anthologia Latina*, from sixth-century Carthage. The allusion here is, however, more obviously to the popular work of Priscian, *Institutes of Grammar*, VI.44: *coluber etiam colubra facit*.¹³ There is also one intriguing reference to pictorial evidence, at

¹² H.222.26-223.4.

¹³ H. Keil, ed., *Grammatici Latini*, 2 (Leipzig, 1855, reprinted Hildesheim, 1961), 233.13.

II.32, in the context of Mediterranean sea-creatures and in particular Scylla and the Sirens:¹⁴

And we learned from a certain picture of Greek workmanship that the men whom the sky-blue dogs did not devour with their first bite were carried aloft on the backs of this same breed of beasts, without injury. Et per quamdam picturam Graeci operis didicimus quod homines quos caerulei canes prima laceratione non devoraverunt in dorso supra dicti generis beluarum vecti sine laesione fuissent.

But despite this (traditional) reticence regarding written sources, they are numerous, and they have, with one notable exception, been quite fully identified,¹⁵ and so the place of the work in the medieval literature of marvels fairly well established.¹⁶

The debt to Virgil is direct and thoroughgoing, and occasionally extends to verbal echoes. But though Virgil is "the distinguished poet" (III.10), a proportion of the Virgilian passages fall under the general disapprobation shown to classical mythology, and our author's concern is everywhere confined to passages which introduce mythological beasts

14 H.245.9-12. Elsewhere in the work "Greek" is used indifferently for "Roman" or any classical material: compare I.6, "Lucan, according to the opinion of the Greeks;" I.49, "fables of the Greeks relate," of prodigies apparently taken from Rufinus; II.9, "many fables of the Greeks in their ancient books of philosophy," for an account of the Lernaean Hydra based on Virgil. We need not, therefore, think here (with Manilius, p. 118) only of a Greek source, such as an illustration of *Odyssey* XII.85 ff. An illustrated copy of Ovid's *Metamorphoses*, e.g. III.432, XIV.1 ff., is equally possible. For Scylla and the Sirens as popular motifs in early Christian art, see F. Piper, *Mythologie und Symbolik der christlichen Kunst*, 1 (Weimar, 1847), 377-378; R. Hinks, *Carolingian Art* (London, 1935, reprinted Ann Arbor, 1962), pp. 153-154; Mary Grant, transl., *The Myths of Hyginus* (Lawrence, Kansas, 1960), pp. 153-154; W. B. Stanford, *The Ulysses Theme*, 2nd ed. (Ann Arbor, 1963), p. 326. But our author may be doing no more than distantly to echo one of his favorite books, Augustine's *City of God*, XIV.8, where in the catalogue of prodigies are included "human or quasi-human races depicted in mosaic in the harbor esplanade of Carthage, on the faith of histories of rarities."

15 Some details of sources and analogues are noted in the editions by Berger and Haupt, and in the commentary by Manilius. I have not seen two discussions of the sources by Pfister, *Berliner philologische Wochenschrift*, 32 (1912), 1129-30, 34 (1914), 925-926.

16 Beast lore, whether in the form of marvels or of fables, is of perennial interest, and since the Renaissance there has been a spate of books on the subject. Some representatives, both the scholarly and the popular, are to be found in the bibliography appended to T. H. White, *The Bestiary, a Book of Beasts* (New York, 1954). Since White's book the flow continues: see, e.g., W. Ley, *Exotic Zoology* (New York, 1959), and *Dawn of Zoology* (Englewood Cliffs, N. J., 1968); J. L. Borges, with Margarita Guerrero, *Manual de Zoología Fantástica* (Mexico City, 1957), revised as *El Libro de los Seres Imaginarios* (Buenos Aires, 1967), 2nd ed. transl. N. T. di Giovanni, *The Book of Imaginary Beings* (New York, 1969); and one could add to White's lists G. Jennison, *Noah's Cargo, some Curious Chapters of Natural History* (London, 1928, repr. New York, 1971). Human prodigies and giants have been less well served outside technical works on physiology, and their literature began to evaporate with the coming of Georges Cuvier, but detailed guidance through their medieval literature is now provided by R. Wittkower, "Marvels of the East, a Study in the History of Monsters," *Journal of the Warburg and Courtauld Institute*, 5 (London, 1942, repr. Vaduz, 1965), 159-197.

and monsters. There his concern ends: as with his other literary sources, he gives no hint of a more imaginative interest. (I later consider the possibility that he treated *Beowulf* in the same limited way, simply as raw material for a catalogue). Most, not all, the Virgilian echoes were indicated already in Haupt's text of the *Liber*, and need not be cited or reconsidered in great detail. All told, some thirty-six items owe something to Virgil: seven to his *Georgics* (all four books, with IV the favorite), the rest to dispersed passages of the *Aeneid* from III.10 (Laocoon) = *Aen.* II.203 ff. to I.55 (Orion) = *Aen.* X.763 ff. As is frequent in the middle ages, Virgil's book VI provides most, eleven items in all; references in book VIII dealing with the encounters of Hercules are also popular. In book I of the *Liber*, the largest of the three, a few Virgilian echoes are heard in the opening prologue and the first monster entries, then comes a more solid block of such passages from I.31 to the end (I.57), covering Cacus, Proteus, Circe, Fama, the Harpies, the Eumenides, Tityos, Aegaeon (Briareus), the Minotaur, Eryx, Triton, Aloeus, Orion, and the Titans. In II.28, on the legendary sea-horses of Neptune, there is added to an echo of *Georg.* IV.389 the detail that "they have in the main upper part of their bodies the appearance of horses, and in the lower part that of fish," the comment made on Virgil's line by Servius, "for they are marine horses in their upper part, the lower shading away into fish."¹⁷

In two places near the end of the complete work, Virgil is rather blatantly misunderstood: III.16 on the black 'chelydri' snake awkwardly runs together the two distinct references of *Georg.* II.212-213, the shrubs which attract bees, and 214-216, the snake itself; and III.23, drawing on *Aen.* VIII.696 ff., 711 ff., for Cleopatra and the asp, with unconscious humor misreads Virgil's 698, *latrator Anubis*, the barking (Egyptian) god Anubis, as *a nubis*, hence barking clouds:¹⁸

Now in the inventions of the poets it is told how twin snakes, along with monsters, and clouds barking from the sky, drove the terrified Cleopatra to the Nile when she and Antony waged war by sea against [Augustus] Caesar. And just as a lie created for her monsters and snakes in the sky in store for her, so the lying fables of poets wilfully invent many things which are not so.

17 H.244.11-12: "maiore parte corporis priore equorum figuras et posteriore piscium habeant," then noting the Servius addition.

18 H.252.3-9. Compare *Aen.* VIII.697-700, transl. W. F. Jackson Knight, *Virgil: the Aeneid*, Penguin Classics, L. 51 (Baltimore, 1956), p. 222: "The queen ... had as yet no thought of the pair of asps which fate held in store for her. Her gods, monstrous shapes of every species, even to the barking Anubis, levelled weapons against Neptune, Venus, and Minerva herself."

In his enim poetarum fictionibus describitur quod angues gemini cum monstris et nubes ex aere latrantes Cleopatram ad Nilum fugasset exterritam, quae cum Antonio contra Caesarem navale proelium gessit. Et sicut huic mendacium a tergo reginae monstra et angues finxit aethereos, ita et fallaces poetarum fabulae sibi plurima quae non fiunt voluntarie fingunt.

A debt to Ovid's *Metamorphoses* is more problematical. The poem was known to likely contemporaries of our author, notably to Aldhelm,¹⁹ but did not come into its own as a source-book of mythology until the Carolingian period. It may be the source for our I.37, on Midas (*Met.* XI.1 ff.), I.39, on Argus (*Met.* I.625 ff.), II.33, on the bulls of Colchis (*Met.* VII.1 ff.), perhaps also I.6, on Orpheus (*Met.* X.1 ff., XI.85 ff.), and I.14 along with II.32, on Scylla (*Met.* XIV.1 ff.). But if Ovid has to do with any of these summary treatments of myths, it is as likely to be at second-hand, by way of the mythographers or grammarians. No striking verbal echo emerges.

It is not easy to disentangle the debts of our author to the celebrated treatments of human monstrosities by Pliny (*Natural History*, VII.2), Augustine (*City of God*, XVI.8), and Isidore of Seville (*Etymologies*, IX.3). Augustine copies Pliny, and Isidore takes from both Pliny and Augustine, while our author is usually content with summaries not taken verbally from his source material. Occasionally he echoes the note of scepticism or pious disbelief found in Augustine and Isidore rather than Pliny, and it looks as if most of what he has taken of this kind is from these two, though all three works were known and popular from early times, and a further derivative treatment of the subject, by Aulus Gellius (*Attic Nights*, IX.4.6), was also popular and may also be involved. In book I of the *Liber*, dealing with human monsters, there seems to be nothing in either Pliny or Aulus Gellius not also available in Augustine or Isidore; but books II and III, on beasts and on reptiles, seem to show a regular drain only from Isidore, especially his XII.2 and 4, for these are not matters systematically dealt with in Aulus Gellius or Augustine. In all, the direct debt to Isidore is the most evident, and amounts to some forty of the combined 116 entries, while there is nothing of significance that must come only from Pliny or Aulus Gellius, and only a handful of items which could be direct from Augustine. Isidore is borrowed quite regularly in book I as far as sec-

19 J. D. A. Ogilvy, *Books known to the English, 597-1066*, Mediaeval Academy of America Publication 76 (Cambridge, Mass., 1967), pp. 212-213.

tion 24, then comes a selection mostly from Virgil, then Isidore is resumed at I.43-53 and steadily continued to the end through books II and III; the systematization apparent in Isidore's encyclopedic collections is not, however, imitated.

For a few early items one can perhaps more confidently select a precise book from the Pliny-Augustine-Isidore series. Thus, with the monstrosity or Siamese twins of I.9:

We also learned of a certain man born in Asia of human parents, who by a monstrous blend resembled his father in feet and belly, and yet had two breasts, four hands, and two heads. The report has led many to express their amazement at him,

Et quendam hominem in Asia natum ab humanis parentibus monstrosa commixtione didicimus qui pedibus et ventre fuit genitori compar, set tamen duo pectora et quatuor manus et bina capita habuit, et ad ipsius mirationem multos rumorosa contrahebat opinio, (H.225.9-13)

the "many" is in fact Augustine, *City of God*, XVI.8:

Some years ago, but certainly within my memory, a man was born in the East double-formed in his upper limbs but single in his lower, having two heads and four hands, but one belly and two feet like a single man. He lived long enough for his fame to induce many to go and look at him.

Similarly with I.25:

We also hear a reliable account of a certain man who had crescent-shaped soles to his feet, with not more than two toes apiece. His hands, however, are described as developed to the normal length.

Et quendam hominem fideli historia lunatas habuisse plantas duorum non amplius digitorum conperimus, cuius quoque manus in huius normae mensuram editae describuntur. (H.230.1-4).

Once again, the "reliable account" is Augustine, at the same place:

At Hippo-Diarrhytos (Bizerta) there is a man whose hands are crescent-shaped, and have only two fingers each, and his feet are similarly formed. If there were a race like him, it would be added to the history of the curious and wonderful.

But on the pygmies, I.23:

There is also described a certain secretive species of men, born in caves and hollow retreats of the mountains. These are a cubit in stature, and, so the record goes, wage war at harvest time on the cranes in order to keep them from stealing their crops. From the cubit the Greeks call them pygmies,

Et quoddam invisum genus hominum in antris et concavis montium

latebris nasci perhibetur, qui sunt statura cubitales et, ut testantur, adversum grues in tempore messis bellum coniungunt ne eorum sata diripiant. Quos Graeci a cubito pygmaeos vocant, (H.229.13-17)

a common legend is being repeated (Pliny, Augustine, Isidore, XI.3.7, Aulus Gellius), the cranes going back ultimately, of course, to Homer, as well as Aristotle's *History of Animals* and Herodotus (II.34), Juvenal (III.167), Strabo (I.2.28), Mela (III.81), and others; yet to Pliny distinctively belongs the detail that the pygmies are shy.

A small handful of other items in the *Liber* suggest further reading on the author's part. From the Christian-Latin tradition, Jerome's life of Paul the hermit was apparently drawn upon for the talking Centaurs (I.8), and the *Chronicle* of Marcellinus 'Comes' for the gift of an elephant to the emperor Anastasius (II.7). The late-classical poet Claudian may have contributed a geographical detail to the account of Triton (I.52). Possibly one should add Quintus Curtius (VIII.11) for the reference to the siege of Mount Aornos by Hercules (II.7), although Curtius was not widely known in the early middle ages. Some Latin version of Physiologus was perhaps available for the 'antholops' of II.24 and the viper of III.18, though Isidore gives most of the details found in the second of these. The dragon-tails or 'Dracontopodes' of I.49 are also found in the pseudo-Clementine *Recognitiones* by Rufinus.

The *Letter of Alexander to Aristotle*, that highly popular piece of fiction which offered a continuous description of the marvels and strange beasts encountered in the Indian campaigns, becomes a prominent source for the *Liber* only in the second and third books, dealing with beasts and reptiles.²⁰ As already noted, the *Letter* is named in two places (II.3, 29), more or less by its traditional title.²¹ If one compares the similarities in detail, the priority of the *Letter* is soon obvious: as elsewhere, the author of the *Liber* has merely extracted and modified those passages which mention curious beasts, leaving aside the bulk of the text as irrelevant to his purpose. The final place of comparison clinches this view. In the *Liber*, III.21:²²

²⁰ Using the convenient text of the Latin *Letter* by S. Rypins, *Three Old English Prose Texts*, Early English Text Society, Original Series, 161 (London, 1924), I find a solitary instance of resemblance to *Liber*, I.15 (the Fish-eaters, Rypins, p. 91), then a regular series of debts through books II and III, as follows: II.2, 3, 7, 10, 13, 17, 23, 26, 29, 34, III.2, 4, 6, 7, 11, and 21, in Rypins respectively pp. 87, 81 (and 91), 85, 84-85, 99, 88, 90, 98, 88, 98, 97-98, 86-87, 98, 87, 97-98, and 98, sixteen items in all, some but not all already indicated by Haupt. I have not seen the more recent edition by W. W. Boer, *Epistola Alexandri ad Aristotelem* (The Hague, 1953).

²¹ H.238.11-13, 244.13-14. Alexander's experiences in India are also specified as a source of information in II.7, 17, 23, III.4, 11.

²² H.251.10-14. Haupt's footnote extract from the *Letter* does not include the sentence on the mushroom, and so misses showing what our author has done.

The Hydri are aquatic serpents which live in rivers and pools, as is reported of certain worms in India; and a certain subjugated race near the Ocean is said to have pulled them from the river Ocduba. They are thicker than a human thigh and redder than scarlet.

Hydri serpentes sunt aquatici qui fluvios ac stagna colunt, sicut de aliquibus Indorum vermibus describitur, quos ibi genus quoddam Oceano propinquum ab amne Ocduba sibi victum humano femore crassiores traxisse et cocco rubriores perhibetur.

This begins as an echo of Isidore, *Etym.* XII.4.22, on the Enhydri and Hydros as water-snakes, then goes on to sentences from the *Letter*:

Thence we came to the river Occulas (var. Cluias, the Oxus or Ochus?), which led straight to the Ocean without deviation[Indians of the farther shore provided] worms pulled from this river thicker than a human thigh, and for their flavor these are more esteemed by us than any kind of fish. Also there are mushrooms there, outstanding in their vast size, and redder than scarlet;

The worms (lampreys?) and the giant mushrooms have been carelessly amalgamated from his source by our author.

To the foregoing, generally recognized sources of the *Liber*, one substantial addition has to be made, namely the short tract usually called *De rebus in oriente mirabilibus*, or *Wonders of the East*.²³ This is another anonymous work, of uncertain date, perhaps as early as the fourth century,²⁴ but preserved in an English copy of the twelfth century and translated into Old English, one version of which survives, along with the very similar *Letter of Alexander*, in the *Beowulf* manuscript of ca. 1000. The *Wonders* forms a bare catalogue of Oriental marvels in the Alexander tradition. As with his other sources, our author takes from it what was relevant to his more structured interests, omitting names of places and species along with subsidiary comments, rearranging and rather carelessly splitting apart or running together certain items. In all, twenty-one of the thirty-six brief sections of the *Wonders* are recognizably borrowed.²⁵ The priority of the *Wonders* is easily demonstrable from the following selective summaries.

²³ Cited from the Latin text in Rypins, *ed. cit.*, pp. 101-107, printed as a supplement to the Old English version; facsimile ed. by M. R. James, *The Marvels of the East*, Roxburghe Club (Oxford, 1929); an earlier edition of the OE with some commentary by F. Knappe, *Die Wunder des Ostens* (Berlin, 1906). Knappe, p. 13, observed the substantial link with the *Liber*, but without elaborating.

²⁴ The opinion of Wittkower, *art. cit.* (1942), p. 172.

²⁵ *Wonders*, items IV, VI (twice), VII, VIII, IX, X, XI, XII, XIII, XIV, XVI, XXI, XXII, XXIII, XXVII, XXVIII, XXIX, XXXIII, XXXVI, XXXIX, compared with *Liber*, II.11, III.2, II.4 and III.6, I.6 and II.14, I.18, II.16, II.31, I.20, II.18, I.33, I.24, I.40, I.43, I.36, I.22, I.28, I.26, I.10, I.30, I.26, respectively.

Wonders

IV: creatures with two heads and eight feet — "anyone wishing to catch them must disarm himself."

VII (i): wild asses with "ox horns of vast size," then

VII (ii): serpents called Corsiae (OE Corsias) which feed on white pepper.

VIII: Cenocephali (OE Healf-hundingas), also called Conopoenae.

IX: Homodubii, long-haired eaters of raw fish.

X: doglike ants, red and black, searching for gold by the river 'Capi.'

XI: elephants of 'Locothea' (OE Locotheo) near the Nile, also called the Archoboleta, and the Brixon.

XII: giants with two faces, red knees, long noses, and black hair.

XIII: triple-hued giants, with heads like lions' and huge mouths in 'Liconia' (OE Ciconia) in Gaul.

XXI: predatory men called Donestreae, godlike in their upper limbs, knowing all languages and using their skill to flatter and destroy strangers.

XXVIII: giant women, some killed by Alexander because of their repugnant ways, having boars' tusks, hair to their heels, ox tails, and camel feet;

XXIX: handsome beasts called Catini, and nearby them men who subsist on raw meat and honey.

Liber

II.11, lacking the comment.

II.4: wild asses with "horns of oxen and large frames," dividing these details.

III.6, as a separate entry.

I.6: Cynocephali, then separately II.14: Cynopeni.

I.18, lacking the name.

II.16: giant black ants on an (unnamed) island.

II.31: beasts called 'celestices' near the Nile, or Archoboleta, and the Brixon, but lacking the regional name.

I.20: slender giants with two faces and long noses, lacking the other attributes.

II.18: triple-hued hippopotami (though this genus has already been described in II.10) with huge mouths, but no mention of lions' heads or of the district.

I.40: predatory men knowing all languages, but no mention of their name or their godlike features (needed to explain their remarkable ability?).

I.28 beautiful giant women with marble-like bodies, hair to their heels, ox tails, and camel feet.

I.26: handsome men (unnamed), owing their beauty to a diet of raw meat and pure honey.

Especially from *Wonders* VII, VIII, each split into separate entries, XXI, with a vital detail omitted, and XXIX, run together in the *Liber*, it seems clear that the author of the latter is manipulating or misunderstanding an earlier work.

A few other items resist precise sources, but most are accounted for. In the final section, below, I look at the further possibility that our author had read an early version of *Beowulf*. There is little sign of any extensive knowledge of Greek beyond the etymological remarks taken over from Isidore. Nor is much left which can be attributed to the writer's own creativity. The *Liber* is not a comprehensive or particularly well organized round-up of monsters and beasts. It has a few repetitive allusions (e.g., Scylla, Cerberus, the Lernaean Hydra), a few misunderstandings, and very little that is vivid or imaginative. In Shakespearian terms, its monsters are servant-monsters, most ignorant rather than most rare; Spenser was to do far better.

3. DATE, PROVENANCE, AUTHORSHIP

The problem of dating the *Liber* is less settled than the question of its provenance. The range of guesses extends from the sixth through the tenth century, with a general preference for the seventh or eighth. The first editor, Berger de Xivrey, proposed the sixth, but this ignores the undoubted fact of the author's indebtedness to the *Etymologies* of Isidore of Seville (died 636), and is clearly too early.²⁶ At the other end of the scale, I find a solitary proposal for the tenth century,²⁷ clearly a misunderstanding in view of the fact that one manuscript of the work survives from the ninth. From the seventh through ninth centuries, modern critics seem to be more or less equally divided, though few have brought to their choice any new supporting evidence.²⁸ In my view the question of date is best considered along with that of authorship, but one limiting possibility may be considered first.

²⁶ Berger (1836), p. xxxiv, followed by Knappe, *ed. cit.* (1906), p. 13; for the objection, see Manitius, p. 115. Berger's choice was based on a sentence in II.7 (H.239.8-12) which echoes the *Chronicle* of Marcellinus 'Comes,' s.a. 496; it is thus no more than a *terminus a quo*. It is true that much of the Isidore material in our work may also be found in his own earlier sources, but an occasional reminiscence of phrasing suggests Isidore was the direct source; one notable place where Isidore alone seems to be followed was pointed out in III.19 (H.251.4-6) by Suzanne Backx, "Sur la Date et l'Origine du De monstribus, belluis et serpentibus," *Latomus*, 3 (1939), 61: the *oditae* serpents there distorts Isidore's *ophites* (*Etym.* XII.4.30), which in turn misunderstands Lucan's comparison of the cenchrus snake to *Thebanus ophites*, Theban serpentine stone (*Pharsalia*, IX, 714).

²⁷ C. P. Hartnett, *Beowulf*, Bar-Notes 5550-9 (New York, 1966), p. 117, a popular student's aid.

²⁸ A chronological sampling may be made.

In favor of the seventh century: Manitius (1911), pp. 114, 720, ca. 700 A. D.; Backx, *art. cit.* (1939),

In the search for at least a tentative *terminus ad quem*, the short section on the subject of the Antipodes, I.53, may be significant:

They also report that there is a race of men below the earth whom they call the Antipodes, and according to the interpretation of this Greek word these walk upon the under-surface of the earth, with feet pointing straight forward but the other way up as compared with our footsteps.

Ferunt et hominum genus esse sub orbe quos antipodas vocant. Et secundum illam Graeci nominis interpretationem imum orbis fundum ad nostra vestigia sursum directis pedibus calcant. (H.235.18-21)

The introductory term here, *ferunt*, as frequently in other entries, implies that the information is taken from the traditional literature of marvels and that the author will do no more than suspend his personal disbelief. The notion of such a second world and such a people as the Antipodes was in fact controversial, and had been regularly opposed by earlier Christian writers. Augustine (*City of God*, XVI.9) considered it "on no ground credible." Lactantius (*Divine Institutes*, III.24) vigorously refuted it on the score of, not so much theology, as commonsense. Following these, Isidore writes²⁹

But those beings who are called Antipodes, because they are considered to be the other way up as compared with our footsteps, so that being on

p. 61, later seventh; Klaeber (1950), p. 268; J. H. Maitinband, *Dictionary of Latin Literature*, Philosophical Library (New York, 1956), p. 168; Jane A. Leake, *The Geats of Beowulf* (Madison, 1967), p. 143, at the earliest mid-seventh.

Seventh or eighth century: M. L. W. Laistner, *Thought and Letters in Western Europe, A. D. 500 to 900*, 2nd ed. (London, 1957), pp. 177-178, not precisely dated, but included along with the early-eighth century *Liber historiae Francorum* in a chapter dated 637-751; R. Girvan, *Beowulf and the Seventh Century, Language and Content*, 2nd ed. (London, 1971), p. 61, early-eighth or possibly earlier, based on the comparative accuracy of the Hygelac allusion.

Eighth century: Haupt (1876), p. 220, before the age of Alcuin; O. Gruppe, *Geschichte der klassischen Mythologie und Religionsgeschichte* (Leipzig, 1921), pp. 9-10, early Carolingian, Thomas (1925), p. 245, late-seventh or early-eighth; W. W. Lawrence, *Beowulf and Epic Tradition* (Cambridge, Mass., 1928), pp. 93-94, earlier eighth, contemporary with *Beowulf*; E. V. K. Dobbie, ed., *Beowulf and Judith*, Anglo-Saxon Poetic Records, 4 (New York, 1953), p. xxxv; C. L. Wrenn, ed., *Beowulf with the Finnesburg Fragment* (London, 1953), p. 48; D. Wright, *Beowulf, a Prose Translation* (Baltimore, 1957), p. 106; G. N. Garmonsway and Jacqueline Simpson, transl., *Beowulf and its Analogues* (New York, 1968), p. 113; G. Jones, *A History of the Vikings* (London, 1968), p. 30; Margaret E. Goldsmith, *The Mode and Meaning of Beowulf* (London, 1970), p. 98.

Eighth or ninth century: K. Sisam, *Studies in the History of Old English Literature* (Oxford, 1953), pp. 75-77, 288-290; Nora K. Chadwick, "The Monsters and Beowulf," in P. Clemoes, ed., *The Anglo-Saxons, Studies in some Aspects of their History and Culture presented to Bruce Dickins* (London, 1959), pp. 198-200; S. B. Greenfield, *A Critical History of Old English Literature* (New York, 1965), p. 64; G. Storms, "The Significance of Hygelac's Raid," *Nottingham Mediaeval Studies*, 14 (1970), 8, ca. 800 A. D.

²⁹ *Etym.* IX.2.133, ed. W. M. Lindsay, I (Oxford, 1911). Elsewhere, XI.3.24 and XIV.5.17, Isidore records a legend of Antipodes in another sense, people of tropical Africa with feet pointing backwards; these are found in our author, I.29 (H.230.16-19), as in Pliny, Aulus Gellius, and Augustine.

the under-surface of the earth they make their tracks the other way up to our feet — this is not to be considered reasonable in any way, for the solidity of the earth, and its central mass, do not permit of it; it is not confirmed by any evidence of history, but is merely a conjecture of poets. Iam vero hi qui Antipodae dicuntur, eo quod contrarii esse vestigiis nostris putantur, ut quasi sub terris positi adversa pedibus nostris calcent vestigia, nulla ratione credendum est, quia nec soliditas patitur, nec centrum terrae; sed neque hoc ulla historiae cognitione firmatur, sed hoc poetae quasi ratiocinando coniectant.

As Laistner observes, "Contrary to what has often been maintained, belief in a flat earth was not the commonly accepted opinion in the early Middle Ages."³⁰ But objection on theological grounds came later. The notion of the earth as a thin shell or hollow sphere, thus allowing for the Antipodes to exist beneath it, was notoriously revived and defended during the mid-eighth century by Virgilius, the eccentric Irish bishop of Salzburg (745-784). His views were challenged as heretical by his superior, the Anglo-Saxon Boniface, and reported to pope Zacharias (741-752). In 748 Zacharias replied to Boniface, recommending that Virgilius be expelled from his office for holding such views. The controversy seems to have subsequently died down without this drastic step.³¹ But the proceedings and problems of Boniface in his organization of the new German church were followed with close interest in his homeland, and one may tentatively suggest that our English author (his Englishness now generally accepted) would not have included his allusion to the Antipodes when or soon after they had become the subject of controversy in high places. In other words, on this evidence our work is more likely to belong to a period before the 740's.

Aside from this negative point, there seem to be few established facts to help solve the question of dating. Of datable allusions, the death of Hygelac, already elevated in our work to something like folklore proportions, belongs in history to the decade 520-530. Of datable sources, Isidore's *Etymologies*, not long before 636, is the latest. Of the four known manuscripts, Leiden Voss. Lat. Oct. 60, in a hand of ca. 900, is the earliest; the others belong to the tenth century. The *terminus a quo* is thus, in approximate terms, the later seventh century, and, unless we accept the foregoing conjecture, the *terminus ad quem* the later ninth.

³⁰ Laistner, *op. cit.* (note 28), p. 185.

³¹ For the Virgilius controversy and modern studies, see Laistner, pp. 184-185, and W. Levison, *England and the Continent in the Eighth Century* (Oxford, 1946), pp. 88-89.

One further point bearing on the date, namely the link with *Beowulf*, the composition of which is regularly assigned to the eighth century, is further considered in section 4, below.

The question where the *Liber* was compiled has not engendered much controversy. The nineteenth-century view was uniformly in favor of Frankish territory on the basis of the Hygelac allusion, located near the mouth of the Rhine, and the knowledge of the same incident shown by early Frankish historians.³² Then, after Antoine Thomas in 1925 demonstrated the insular features of one neglected early copy, the Leiden manuscript just mentioned, scholars have with almost equal uniformity accepted an English provenance.³³

I see no compelling reason why the modern view should not be accepted. The discovery has been sufficiently publicized that the name for Hygelac in the *Liber* is given a recognizably Anglo-Saxon rather than Frankish form.³⁴ Placed alongside the pronouncement by Thomas that the early Leiden copy was written by an insular hand,³⁵ this fact has persuaded most subsequent critics, interested in the work primarily as a satellite of *Beowulf*, to accept an Anglo-Saxon provenance as proved beyond reasonable doubt. But in fact, Thomas, an experienced paleographer, more cautiously described the Leiden script as either Anglo-Saxon or Irish. The possibility of Irish influence, if not Irish provenance, has been kept alive in incidental references to the *Liber* by one or two critics,³⁶ but has not seriously challenged the Anglo-Saxon thesis, which more obviously suits the *Beowulf* connection. If, however,

32 See Haupt, pp. 220-221; Manitius, p. 114. Frankish provenance is still implied by Girvan, *op. cit.* (note 28), p. 61.

33 A further chronological sampling, with short reference to critics already listed in note 28: Lawrence (1928), pp. 93-94; Backx (1939), p. 61; Dorothy Whitelock, *The Audience of Beowulf* (Oxford, 1951), pp. 46-53; Wrenn (1953), p. 48; Wright (1957), p. 106; Greenfield (1965), p. 64; J. D. A. Ogilvy, *Books known to the English, 597-1066* (Cambridge, Mass., 1967), p. 206; Jones (1968), p. 30; Goldsmith (1970), p. 98; Storms (1970), p. 8.

34 See, e.g., R. W. Chambers, *Beowulf, an Introduction* (Cambridge, 2nd ed. 1932, 3rd ed. 1959), pp. 4, 339, 504; and these works already cited: Lawrence (1928), pp. 93-94; Leake (1967), pp. 123-126; and, in more detail, Whitelock (1951), pp. 46-53. The forms Hygelāc, Higelāc (once: Hylāc) of *Beowulf* (Old Norse Hugleikr, partly Latinized as Hugleucus) presuppose an earlier *Hugilaik-; this, Latinized to Hugilaicus, may well have been the original reading of the *Liber*, as Haupt assumed, where of surviving manuscripts Haupt's A reads *huncglacus*, B *huiglaucus*, the Leiden text cited by Thomas (p. 236) *Higlacus* and *Hyglacus*, and the unpublished copy in British Museum, MS. Royal 15B.XIX, *huiglaucus*. In contrast, Gregory of Tours (died 594) in his Frankish history names the king Chlochilaichus, and the derivative *Historia Francorum* (ca. 727) has Chochilaicus, var. Chochilagus, presupposing an earlier *Chogilaicus; see Klaeber, pp. xli, 268.

35 Thomas, pp. 243-244.

36 See E. Dekkers and E. Gaar, "Clavis patrum Latinorum," no. 1124, *Sacris Erudiri*, 3 (1951, revised 1961), 194.

one takes into consideration the complete text of the *Liber*, not merely the Hygelac allusion, some evidence seems to emerge, cumulative rather than spectacular, in support of the view, not so much of an outright origin for the work in Ireland or an Irish community, as of some influence upon it of Celtic Irish learning, notions, and attitudes.

Thus, it exemplifies the enthusiasm for Virgil so well evidenced among early Irish scholars: the *Georgics* and the *Aeneid* are most thoroughly combed by its author for examples of prodigies and monsters. The preoccupation with such marvels may remind us of the more permissive, congenial, and credulous attitudes towards pagan literature and beliefs often shown by Irish scholars as compared with their Anglo-Saxon counterparts, a part of what has been called "the kind of antiquarian speculation which was most fully developed in the Celtic countries."³⁷ Writing some years before Thomas' article appeared, Max Manitius, while favoring the traditional theory of Frankish provenance for the *Liber*,³⁸ observed that two similar titles, for what is elsewhere a rather rare work, namely *de diversis generibus monstrorum librum I* and *de diversis generibus monstrorum liber I*, appear in the tenth-eleventh century catalogue of books in the monastic library at Bobbio in northern Italy. Bobbio was the last of the Continental houses founded by the Irish missionary Columban, ca. 614, and it maintained for some centuries its special links with Irish learning.

In the text itself, one or two passages are suggestive of Celtic fancy. In the opening section, I.1, the author voices his doubts whether many rumored tales are authentic:

Certain of these same marvels are considered to be true, but there are countless ones which, could a man but fly on wings to search them out, he could prove were handed out in the words of rumor and were in fact mere inventions, as for instance nowadays when a city of gold and gemstrewn shores are described, where in reality he would see only a city of stone, or no city at all, and shores of rock.

Quaedam tantum in ipsis mirabilibus vera esse creduntur, et sunt in-

³⁷ Chadwick, *art. cit.* (note 28), pp. 175-176. The smooth blend of pagan and Christian elements and the interest in monster stories found in *Beowulf* itself are, of course, regularly associated with the same attitudes and claimed as evidence of possible Irish influence; see C. Donahue, "Beowulf, Ireland and the Natural Good," *Traditio*, 7 (1949-51), 263-277, and "Beowulf and Christian Tradition: a Reconstruction from a Celtic Stance," *ibid.*, XXI (1965), 55-116; J. Carney, *Studies in Irish Literature and History* (Dublin, 1955), pp. 77-128; Margaret E. Goldsmith, *The Mode and Meaning of Beowulf* (London, 1970), pp. 22-59, a well-documented discussion; and for earlier speculations, Klaeber, pp. xx-xxi.

³⁸ Manitius, p. 118.

numerabilia quae si quis ad exploranda pennis volare posset, edita rumoroso sermone esse tamen ficta probaret, ut ubi nunc urbs aurea et gemmis aspersa litora dicuntur ibi lapideam aut nullam urbem et scopulosa litora cerneret. (H.222.11-16).

Such terms as *urbs aurea* regularly apply in medieval writings to the description of the New Jerusalem, the city of pure gold with walls of precious stones (Apoc. 21:18-19), or to the city of Rome; but the disparaging tone of our passage seems to rule out such applications here. There may be a forward allusion to a section on the river Ganges, II.27, "which produces gold and precious stones;"³⁹ but that statement when it comes is made without any hint of disbelief, and in our context the accompanying reference to imaginative flights may well rather remind us of the early Irish fondness for tales of miraculous journeys and fabulous countries of untold riches. In the ninth-century *Voyage of St. Brendan*, for instance, monks sail to a Land of Promise where "the very stones beneath our feet were precious," and eventually, after a seven-year search, find themselves on a holy island where the saint is urged, "Fill your ship brim-full with precious stones."⁴⁰

Of the sections in the *Liber* which provide details untraced elsewhere, two deal with dead giants and their bodily remains. In I.13 there is a curious account of

a certain girl, with breasts not yet developed, found on the shores of western Europe, the waves of the deep having carried her to land from the Ocean. They estimated her size at fifty feet. The height of her body was fifty feet, and she was seven feet broad across the shoulders. She was dressed in a purple cloak. She had arrived there bound with rods and bearing a fatal blow in the head.

Et puellam quandam in occiduis Europae litoribus necdum turgentibus mammis repertam didicimus, quam undae gurgitum ab Oceano terris advexerunt, cuius magnitudinem L pedibus designabant. Erat enim ipsius corporis longitudo L pedum et inter humeros VII latitudinis habuit. Purpureo induta pallio, virgis alligata et in caput occisa pervenerat. (H.227.1-7)

Is the reference to a ritual slaying of a young princess, or rather the notion of such an incident attached to the discovery of some large animal carcass, say, of a blue whale or a cachalot? The mysterious

³⁹ H. 244.5-6: "qui aurum cum lapidibus profert pretiosus."

⁴⁰ J. F. Webb, transl., "Navigatio sancti Brendani," *Lives of the Saints*, Penguin Classics, L. 153 (Baltimore, 1965), pp. 34, 68. For early Irish tales of supernatural voyages, see Nora Chadwick, *The Celts* (Baltimore, 1970), pp. 280-283.

arrival of a child reminds us of the arrival of the foundling Scyld in *Beowulf*, but Scyld is not called a giant, and he did not arrive dead, but lived to be a mighty king of the Danes. In I.54 comes a general remark on the skeletal remains of giants:

Their bones, it is often read, lie exposed on beaches and in caves of the earth as an indication of their vast bulk.

[Gigantes] quorum ossa in litoribus et in latebris terrarum ad indicium vastae quantitatis eorum conperta saepe leguntur. (H.236.3-5)

This, of course, has already been said specifically of Hygelac, a figure of Germanic, not Irish lore. Nor were giant bones exposed for wonderment confined to northern lore: tales of this kind would arise wherever impressively large bones were uncovered. Augustine in the *City of God*, XV.9, claims to have seen a monstrous tooth, one hundred times the size of a normal human one, on the shore at Utica in north Africa, and he is content to believe it had come from a giant. Herodotus had described a twenty-foot giant skeleton locally assumed to be that of Orestes; Suetonius reports that the emperor Augustus kept a collection of huge bones on Capri; Pliny notes the birth of a nine-foot giant in Arabia; Boccaccio (*De genealogia deorum*, VI) tells of a giant body found in a cave of western Sicily.⁴¹ But early Irish examples of such beliefs are not wanting,⁴² and the reference in I.13 to "the shores of western Europe" (along with the possibility of a large ocean-going whale) more obviously suggests the Atlantic coasts, if not more specifically the western shores of Ireland.

41 One recalls Swift's satirical echo of travelers' marvels in *Gulliver's Travels*, II.7. After perusing an ancient book Gulliver concludes that "there must have been giants in former ages; which, as it is asserted by history and tradition, so it hath been confirmed by huge bones and skulls casually dug up in several parts of the kingdom [of Brobdingnag], far exceeding the common dwindled race of man in our days." Compare Virgil on the body of king Priam, *Aen.* II.557-558: "Tacet ingens litore truncus, Avulsumque umeris caput et sine nomine corpus."

42 Chadwick, *art. cit.*, p. 176, note 1. The passage on the giant girl reappears, very little changed, in 14th or 15th-century Irish, ed. K. Meyer, *Anecdota from Irish Manuscripts*, 3 (Halle, 1908), 10, and transl. K. H. Jackson, *A Celtic Miscellany*, 2nd ed., Penguin Classics, L.247 (Baltimore, 1971), p. 166, accompanied in the latter by a similar tale from Scotland which Jackson claims goes back to a 9th-century source in the *Annals of Ulster*. The only differences from the *Liber* are that the girl in the Irish version had her hands tied behind her back and her head had been cut off. Early Celtic practices of human sacrifice by fire at the hands of the Druids are described by Julius Caesar (*Gallic War*, 6.15), Strabo (4.4-5), and Diodorus Siculus (5.32). Some of the rites involved "colossal images of wicker-work" and "gigantic images constructed of osiers," perhaps representing tree spirits or vegetation spirits. Similar festivities have continued to modern times in France, England and the Netherlands, and a 19th-century version at Dunkirk involved the display of a "giant" 45 feet high, dressed in a long blue robe with golden stripes; see further J. G. Frazer, ed. T. H. Gaster, *The New Golden Bough* (New York, 1959, 1964), pp. 731-738, with notes and references, pp. 756-758.

One further point in this connection is the general and obvious one, that to admit some Irish influence on our work is not to preclude its likely Anglo-Saxon provenance. From the early-seventh century pockets of Irish Christianity and learning were to be found in England, and a regular cultural exchange was established between English and Irish churchmen and scholars. Northumbrian learning owed much to Columba, Aidan, Adamnan, and their community at Iona and daughter minsters; it was within the Irish community settled at Malmesbury in Wessex that Aldhelm received his introduction to learning.

The career of Aldhelm (ca. 639-709), in particular, does seem to provide just the kind of scholarly atmosphere, the smooth blend of Germanic, Celtic, and classical interests, in which such learning as the *Liber monstrorum* displays would have found a congenial home. I consider, in fact, that a first case may be made for the work's having been written by the youthful Aldhelm or by a member of his circle, especially if that circle is enlarged to include both Aldhelm's own pupils, acquaintances, and correspondents, and as well those fellow-members of the school of Canterbury to which he moved from Malmesbury. As a youth Aldhelm had studied at Malmesbury under the Irishman Maeldubh (Maildufus), and one can hardly doubt that the instruction included Virgil and other pagan poets, for to them his writings are heavily indebted. At Canterbury, in the school of two notable scholars, archbishop Theodore, whose distant home was Tarsus in Cilicia, and abbot Hadrian, by birth an African, Aldhelm no doubt extended his knowledge of the classics and late-classics, and absorbed some of the Graeco-Oriental learning of his Mediterranean masters. His surviving letters find Aldhelm in touch with personal pupils such as Wihtfrid, Ehfrith, and Aethilwald, the first two also linked to Ireland. A few years after Aldhelm's death, Bede pays tribute to his scholarship (*Hist. eccles.* V.18), and elsewhere praises the learning of such Canterbury contemporaries as Tobias and Albinus (*Hist.* IV.2, V.8, 20, 23). Within the same circle of scholars would belong the learned nuns of Wimborne and Barking, along with bishop Daniel of Wessex (died 745). In later ages Aldhelm's skill in the traditional Germanic lore of his ancestors is not forgotten: Florence of Worcester knows him as *citharaedus optimus*, an excellent performer on the harp,⁴³ and William of Malmesbury repeats from the lost *Handbook* of king Alfred the tradition that Aldhelm lured men to church by reciting

43 Florence, *Chronicon*, I.237; the phrase is reminiscent of the *Ealdhelm, æþele scop*, that is, noble scop or performer of vernacular lays, in the late-Old English macaronic poem called *Aldhelm*, line 3, prefacing a work of Aldhelm, ed. E. V. K. Dobbie, *The Anglo-Saxon Minor Poems*, Anglo-Saxon Poetic Records, 6 (New York, 1942), p. 97.

traditional tales to the harp.⁴⁴ Was *Beowulf* or its substance among them? At Ham in Wiltshire, in the same county as Malmesbury, were located the "Beowa's patch" and "Grendel's mere" mentioned together in a tenth-century land-grant by king Athelstan, the one local document which puts together these two Beowulfian names.⁴⁵

The range of his scholarly interests⁴⁶ and the peculiar style of his Latin bring Aldhelm himself particularly close to the unknown author of the *Liber*. It was perhaps from the Irish mentor of his youth that Aldhelm acquired his interest in monster lore and bestiary material. The series of riddles inserted in the learned letter to his relative, possibly his former pupil, Acircius (Aldfrith) of Northumbria, includes such exotics as the salamander, ant-lion, Minotaur, unicorn, Colossus, basilisk, Scylla, elephant, and camel.⁴⁷ By comparison, the *Liber* alludes to the salamander, giant ants, the Minotaur, beasts like unicorns called *aeternae* (meaning "indestructible"?), the Colossus, the basilisk or *regulus*, Scylla several times, elephants, and cameleopards or giraffes.⁴⁸ Aldhelm shares with our text one or two late-Latin terms, such as *barca* for "boat, ship,"⁴⁹ *innumabilis*,⁵⁰ and especially *gurgēs*, "eddy, ocean flood," a favorite in Aldhelm's predilection for nautical imagery.⁵¹ Stylistically, Aldhelm's notorious preference is for the heavily ornate and alliterative. The famous opening sentence of his letter to Ehfrith, where he is anxious to demonstrate the high quality of the Canterbury Latin with a flurry of alliteration:⁵²

44 William of Malmesbury, *Gesta pontificum Anglorum*, V.190; see C. E. Wright, *The Cultivation of Saga in Anglo-Saxon England* (London, 1939), pp. 21, 250.

45 Klaeber, p. xxiv; G. N. Garmonsway and Jacqueline Simpson, transl., *Beowulf and its Analogues* (New York, 1968), pp. 91, 301.

46 For his life and learning see, besides the introductions and notes in Ehwald's edition (following note): C. Plummer, ed., *Venerabilis Baedae opera historica*, II (Oxford, 1896), 308-310; M. R. James, *Two Ancient English Scholars, St. Aldhelm and William of Malmesbury*, Glasgow University Publications, XXII (1931); W. F. Bolton, *A History of Anglo-Latin Literature*, I: 597-740 (Princeton, 1967), pp. 68-100, with a bibliography of recent studies, pp. 260-264.

47 Respectively nos. 15, 18, 28, 60, 72, 88, 95, 96, 99, ed. R. Ehwald, *Aldhelmi opera*, Monumenta Germaniae Historica, Auctores Antiquissimi, XV.3 (Berlin, 1919), pp. 104-143, thence by J. H. Pitman, ed. and transl., *The Riddles of Aldhelm*, Yale Studies in English, 67 (New Haven, 1925).

48 Respectively sections III.14, II.16, I.50, II.13, I.4, III.25, I.14 (and II.20, 32, of Scylla), II.3 and 7 (of elephants), II.7.

49 *Liber*, I.32 (H.231.7), noted as a late feature of the vocabulary by Berger, p. xxxiii, and traced back to Paulinus of Nola by Manitius, p. 115, but known to Aldhelm in his double work on virginity, ch. 59 of the prose version, line 2809 of the verse; see Ehwald, p. 567; Bolton, pp. 91-92.

50 *Liber*, I.1 (H.222.13); see Ehwald, p. 631.

51 See Ehwald, p. 623; Bolton, p. 74; E. R. Curtius, transl. W. R. Trask, *European Literature and the Latin Middle Ages*, Bollingen Foundation, 36 (New York, 1953), pp. 128-130.

52 Ehwald, pp. 488-489; Bolton, p. 97; see also Curtius, pp. 283-284.

Primitus pantorum procerum praetorumque pio potissimum paternoque praesertim privilegio panegyricum poemataque passim prosatori sub polo promulgantes ... ,

finds a close parallel in the rhetorical flourishes of the opening prologue to the *Liber*, I.1, equally designed to impress:⁵³

Mendacia ea nemini iteranda putassem nisi me ventus tuae postulationis a puppi praecelsa pavidum inter marina praecipitasset monstra. Ponto namque tenebroso hoc opus aequipero, quod probandi si sint vera an structa mendacio nullus patet accessus ea quae per orbem terrarum aurato sermone miri rumoris fama dispergebat: quorum maximam partem philosophorum et poetarum scriptura demonstrat, quae semper mendacia nutrit.

More in general, the *Liber* seems to echo that particular characteristic of Aldhelm's prose, the moving from imitation of classical Latin towards a style more reminiscent of the Latin Bible.⁵⁴ As to the tone of the work, the caution and scepticism regularly shown towards the classical fables, illustrated above, are in line with Aldhelm as he writes to Wihtfrid, Ehtfrith, and Aethilwald.⁵⁵

But perhaps the most impressive similarity between Aldhelm and our work lies in the considerable overlap of their learned sources. As already described, the *Liber* owes most in this matter to Virgil's *Georgics* and *Aeneid*, and to the catalogues of prodigies in Pliny, Augustine, and Isidore. Probable and possible minor additions would include Ovid's *Metamorphoses*, the lost poem on Orpheus by Lucan, the history of Alexander's campaigns by Quintus Curtius, Jerome's life of Paul the hermit, the pseudo-Clementine *Recognitiones* of Rufinus, the *Epithalamium de nuptiis Honorii Augusti* of Claudian, Servius' commentaries on Virgil, the *Chronicle* of Marcellinus 'Comes,' and an account of the giant serpent near the river Bagradas by either Valerius Maximus, Aulus Gellius, or Pliny. In a somewhat different category may be placed the fictional *Letter of Alexander*, the *Wonders of the East*, and bits of the Physiologus. These writings account for most of the *Liber*, and according to Ogilvy's careful compilation the majority of them, viz. Virgil, Pliny, Augustine, Isidore, Ovid, Lucan, Jerome, Rufinus, Claudian, Servius, and the Physiologus,

53 H.222.4-11. The Hygelac allusion, I.3 (H.223.11), begins with a similar flourish, "Et fiunt monstra mirae magnitudinis," and the Colossus allusion which follows it, I.4 (H.223.17-18), has "mole vastissima monstrorum ad instar maritimarum."

54 See Curtius, pp. 45-46, 457-458.

55 Respectively in Bolton, pp. 95, 97-98, 100.

were known to Aldhelm.⁵⁶ Aldhelm also knew the *Attic Nights* of Aulus Gellius (IX.4), who expresses the same kind of general mistrust in marvel stories and travelers' tales that the *Liber* reveals. Of other early English scholars, only Bede comes at all near this range of authorities; even so, Aldhelm is unique in the extent of his use of Virgil,⁵⁷ and in his knowledge of Aulus Gellius and the poet Claudian. Substantially only the Alexander literature, that is Quintus Curtius and the anonymous tracts mentioned above, seems to lie outside Aldhelm's range.

The case of Lucan on Orpheus is particularly interesting. In section I.6, the *Liber* reads:

The poet Lucan, according to the opinion of the Greeks, sang that, along with innumerable species of wild creatures, they (the Fauns) were attracted to Orpheus' lyre.

Quos poeta Lucanus secundum opinionem Graecorum ad Orphei lyram cum innumerosis ferarum generibus cantu deductos cecinit. (H.224.14-16)

Similarly in II.8:

The poet Lucan sang that these (panthers), along with other animals and wild beasts from the desert of Thrace, were attracted to Orpheus' lyre through his sad song, when he himself, grieving and lamenting, with tearful song bewailed Eurydice snatched away to the waters of the Strymo (modern Strumo).

Quas poeta Lucanus ad lyram Orphei cum ceteris animalibus et bestiis a deserto Thraciae per carmen miserabile provocatas cecinit, dum ipse tristis et maerens ad undam Strymonis raptam Eurydicen lacrimabili deflevit carmine. (H.239.14-18)

One might have expected Virgil (*Georg.* IV.453 ff.) or Ovid (*Met.* X.1 ff., XI.85 ff.) in place of Lucan, were it not that Lucan wrote an early poem on Orpheus' descent into Hades, and two lines possibly from this lost work are cited elsewhere only by Aldhelm.⁵⁸

⁵⁶ J. D. A. Ogilvy, *Books known to the English, 597-1066* (Cambridge, Mass., 1967), absorbing and amplifying the earlier study by M. Manitius, *Zu Aldhelm und Bede* (Vienna, 1886). Following the order above, Aldhelm's knowledge of Virgil is outlined by Ogilvy, pp. 258-259; Pliny, 222-223; Augustine's *City*, 82-83; Isidore, 167-168; Ovid, 212-213; Lucan, 195; Jerome's life of Paul, 180; Rufinus, 116-117; Claudian, 115; Servius, 241-242; Aulus Gellius, 143-144; Physiologus, 222. As to Marcellinus' *Chronicle* (Ogilvy, p. 198), it was certainly known to Bede and therefore in circulation in the England of Aldhelm's day, and Bede, like Aldhelm, had access to the learned resources of Canterbury where such a record is most likely to have found a home.

⁵⁷ As compared with, say, Gildas or Bede (or the *Beowulf* poet), Aldhelm shows a thorough familiarity with all the works of Virgil; see T. B. Haber, *A Comparative Study of the Beowulf and the Aeneid* (Princeton, 1931), pp. 11-13. Haber's close documentation no doubt exaggerates the Beowulfian debts, but some familiarity on the part of the *Beowulf* poet with Virgil and Virgilian phrasing need not be seriously doubted.

⁵⁸ As was pointed out by Manitius (1911), p. 117.

Two further points seem relevant to the question of a link with Aldhelm.

(1) Our author makes it clear at the start that he writes under the instruction of a patron, and is performing the work as a kind of academic exercise:

Though, on the authority of numerous accounts, the report of such creatures once shone out upon the human race in almost every region, like the radiance of a lofty star, I would have considered them falsehoods, not worth repeating to anyone, had not the gust of your request hurled me down in terror from my lofty ship's quarter-deck in among these very monsters of the deep.

Et dum sermo de his per multarum scripturarum auctoritatem velut excelsi sideris fulgore olim humano generi pene ubique refulsit, mendacia ea nemini iteranda putassem nisi me ventus tuae postulationis a puppi praecelsa pavidum inter marina praecipitasset monstra. (H.22.1-6)

The figure of falling into a sea of monsters, somewhat reminiscent of the drowning of Palinurus, who fell asleep at the tiller (*Aen.* V.852 ff.), is echoed at the close of book I:⁵⁹

These are the enormous monsters concerning whom the gust of your request importuned me, and those which I have drawn to these shores from the foamy deeps of fables.

Haec sunt inmania monstra de quibus me ventus tuae postulationis tundebat et ea quae de spumosis fabularum gurgitibus ad haec litora congressi.

Elsewhere in the work, references to Rome, Roman history, and Mediterranean geography are somewhat garbled. In I.31, on Cacus, the Tiber is located in Arcadia: *in Arcadia Cacus nomine in antro fluminis Tiberini* (H.231.1-2). The description of the Colossus in I.4 furnishes a complicated instance:

Witness also the Colossus, who from his vast bulk was marked out from all men as the paragon of sea monsters: when he was struck down, the waters of the Tiber could not avail to cover him, as weakened by grief and ready to die he flung himself into it, and it is said to have flowed back from the spot as far as the edge of the Tyrrhenian Sea, its water for eighteen miles so mingled with his blood that the whole river seemed to flow from his wounds. To commemorate him, the Romans set up a structure renowned almost through the entire range of the world, a statue of

⁵⁹ Section I.57 (H.236.15-17). For similar phrasing in Aldhelm, see Bolton, pp. 74-75, 84, 91-92.

enormous size which was 108 feet high, and according to accounts of marvels comes near to overtopping all the buildings of the city of Rome. Et ut Colossus, qui mole vastissima monstrorum ad instar maritimum cunctos homines excrevit. Quem unda Thybridis vulneratum cooperire non valuit, in quem se dolore marcescens moriturum iactavit, et ab ipso usque ad Tyrrheni maris terminum per XVIII milia passuum aquam tanto sanguine conmixtam reddidisse fertur ut totus fluvijs de vulneribus eius manare videretur. Post quem Romani pene per totum orbem terrarum auditum opus erexerunt statuam procerissimae magnitudinis, quae C et VIII pedes altitudinis habet et prope omnia Romae urbis opera miro rumore praecellit. (H.223.17-224.4)

It is difficult to say what mixture of legends and facts produced this curious entry. The fall of the monster into the sea suggests a wonder of the ancient world, the colossus of Apollo which bestrode and eventually crashed into the harbor of Rhodes, but the main source is obviously the statue of himself, 120 feet high according to the life by Suetonius (ch. 31), which Nero included in his rebuilding of Rome after the great fire of A. D. 64.⁶⁰ The mileage given for the stretch of the Tiber from Rome to its outport at Ostia is also approximately correct, but Nero was not physically a giant, nor did he or his colossus end up in the Tiber. The tale of Talos, the giant metal warden of Crete, or some Biblical story of a behemoth or leviathan (Job 40: 15 ff., 41: 1 ff.) or the death of Og, the giant king of Bashan, and his iron bed or tomb (Deut. 3: 1 ff.),⁶¹ may have crept into our narrative. At all events, the Nero reference is not objective history, and the same is true of the term "Tyrrhenian Sea," which becomes the writer's usual term (as I.20, 22, 28, 32, II.9, 12) for the whole Mediterranean rather than, with full accuracy, the sea along the western edge of Italy.

The same comment may be made on II.7, which describes the leopard:

Once a king of the Indians, since it is there they are chiefly reared, sent to Anastasius, king of Rome, two young 'cameleopards' (giraffes) and an elephant, which the poet Plautus has humorously called a Lucanian cow. Et Indorum rex quodam tempore, quia ibi maxime nascuntur, ad regem Romae Anastasium duos pardulos misit in camelo et elefanto, quem Plautus poeta ludens lucam bovem nominavit. (H.239.8-12)

⁶⁰ See H. V. Canter, "The Venerable Bede and the Colosseum," *Transactions of the American Philological Association*, LXI (1930), 150-164; A. Boëthius, *The Golden House of Nero* (Ann Arbor, 1960), pp. 110-111.

⁶¹ As suggested by Manilius, p. 116.

The jesting nickname for an elephant, whether or not invented by Plautus (*Casina*, 846), was well enough known, for example in Lucretius (V.1302), Pliny (VIII.6), and Isidore (XII.2.15); and, as Haupt observes, the source of our passage is clearly Marcellinus 'Comes' in his *Chronicle* of the eastern empire, s.a. 496:⁶²

India sent as a gift to the emperor Anastasius an elephant, which our poet Plautus calls a Lucanian cow, and two young cameleopards.

But our author has confused Anastasius I, the Byzantine emperor (491-518), with his contemporary, pope Anastasius II of Rome (496-498).

If in such passages it is Aldhelm writing, or inspiring the writer, it would be a younger Aldhelm, the pupil or teacher, or one of his pupils, rather than Aldhelm the mature abbot (after ca. 675) and bishop (as he became in 705). In later life also, ca. 690-693, Aldhelm went as a pilgrim for an extended stay in Rome. The confused knowledge of Roman affairs in the *Liber* would hardly have been possible or acceptable for a man with such firsthand experience.

(2) There seems little to support an alternative notion, that the learning revealed in our work might have persisted as a living force long after Aldhelm's time, that is, that it might represent the tradition rather than the age of Aldhelm. The school of Canterbury did not establish any long-lasting tradition of classical scholarship in England, and many Irish scholars were dispersed abroad when the Viking attacks on Ireland began in 795.

4. THE BEOWULF CONNECTION

I turn to the possible links between *Beowulf* and the *Liber*. The famous Hygelac allusion, I.3, is only the second specific in the catalogue of monsters, and so belongs firmly to the category of more credible monstrosities as distinguished at the very beginning. Pride of place goes to its immediate predecessor, the author's personal memory of a hermaphrodite, a mutant of a kind "said to have often happened with the human race."⁶³ Then comes our passage:⁶⁴

62 T. Mommsen, ed., *Chronica Minora*, II, Monumenta Germaniae Historica, Auctores Antiquissimi, 11 (Berlin, 1894), 94: "India Anastasio principi elephantum, quem Plautus poeta noster, lucabum nomine dicit, duasque camelopardalas pro munere misit."

63 H.223.9-10: "Set hoc frequenter apud humanum genus contigisse fertur." Instances of sex change or hermaphroditism are known to Pliny (VII.4.36) and Aulus Gellius (IX.4.6).

64 H.223.11-16. The identification with the Hygelac of *Beowulf* was first noted by L. Tross, *Epistola ad Iulium Fleutelot* (Hammone, 1844); the editor of the *Liber*, M. Haupt, "Zum Beowulf," *Zeit-*

Monsters of enormous size are indeed produced, witness king Hugilaicus, who ruled the Getae and was killed by the Franks: from his twelfth year no horse was strong enough to carry him. His bones are preserved on an island (or coastal strip) of the river Rhine, at a place where it flows into the Ocean; and they are exhibited as a prodigy to travelers from a distance.

Et fiunt monstra mirae magnitudinis, ut rex Hugilaicus, qui imperavit Getis et a Francis occisus est, quem equus a duodecimo aetatis portare non potuit. Cuius ossa in Rheni fluminis insula, ubi in Oceanum prorumpit, reservata sunt et de longineo venientibus pro miracula ostenduntur.

The background of this has long been known. As a matter of history, Hygelac's expedition from Scandinavia occurred within the decade 520-530. It was repelled, and its leader slain, by Theodebert (died 534), son of the Frankish king Theoderic. In the Old English *Beowulf* (principally lines 1202 ff., 2354 ff., 2501 ff., 2913 ff.), the hero of this name is the nephew of Hygelac and accompanies him to the Rhineland, but manages to escape the counter-attack. One view⁶⁵ is that Hygelac's abnormal size and strength, not mentioned elsewhere than in our passage, have in the poem been transferred to his nephew, possibly because they would better suit the (fabulous) exploits of someone with archetypal bear-associations; if this view implies knowledge of the *Liber* by the poet, I think it unlikely. The Getae are considered to represent Old English Geatas, Old Norse Gautar, Götar, Gautir, and may therefore be a popular substitution for an original Latin Gautae or Gauti; this, as will be seen, is not a necessary assumption. Hygelac and his disastrous raid or invasion upon the Rhineland, that is into Frankish territory or that part of Frisia under Frankish suzerainty, are also recorded in the early history by Gregory of Tours, *Historia Francorum* (later-sixth century), III.3, and the derivative *Liber historiae Francorum* (early-eighth), XIX, with some modification of the personal names, as already noted,

schrift für deutsches Altertum, 5 (1845), 10; and K. Müllenhoff, *ibid.*, 6 (1848), 435 ff., 12 (1865), 253 ff. See further Klaeber, pp. xxxix-xl, 267-268, and for extended modern discussion of the king and the incident, K. Malone, "Hygelac," *English Studies*, 21 (1939), 108-119; F. P. Magoun, "The Geography of Hygelac's Raids on the Lands of the West Frisians and Hætt-ware, ca. 530 A. D.," *ibid.*, 34 (1953), 160-163, and "Beowulf and King Hygelac in the Netherlands," *ibid.*, 35 (1954), 193-204; G. Storms, "The Significance of Hygelac's Raid," *Nottingham Mediaeval Studies*, 14 (1970), 3-26, who sees in the affair a thoroughgoing invasion attempt.

65 Klaeber, p. 456, note to line 1210. No reference to Hygelac's abnormal size occurs in the poem (or in the Frankish historians), with the possible exception of the word *heah* in line 1926, but this could only be very dubiously applied to him, and even then does not necessarily imply giant stature; see Margaret E. Goldsmith, *The Mode and Meaning of Beowulf* (London, 1970), pp. 98-99.

and specifying (or generalizing) Hygelac's people as Danes, a traditional term for all Scandinavians.

Our author's interest in the display of giant bones exposed on beaches has also been indicated from his I.13, the curious allusion to the body of a giant girl, and I.54, which mentions the bones of giants who were tall enough to bestride the oceans, reminding us of the tales of St. Christopher and Wade. From the source material we have seen a similar interest, for instance in Augustine's report of a giant tooth. Our author is not interested, here or elsewhere, in more than a vague or general geographical localization: he omits, if he ever knew, the Frankish tribe of the Hetware or Hætware (*Beowulf*, 2363, 2916, *Widsith*, 33, the Attoarii, Chatti, or Chattuarii of the Latin records) into whose territory Hygelac penetrated, and the Frankish champion Dæghrefn (*Beowulf*, 2501 ff., apparently a genuine Frankish name), slain by Beowulf perhaps in vengeance for the slaying of Hygelac. His interest is in Hygelac as a giant, and — I would add — as a ruler of giants. His Getae may well come from another major source, the *Etymologies* of Isidore, IX.2.89:⁶⁶

The Goths (*Gothi*) are believed to have been named from Magog, son of Japhet, from the likeness of the last syllable. These the ancients called Getae, rather than Goths, a race very brave and very powerful (*potentissima*), of lofty massive stature (*corporum mole ardua*), fear-inspiring in the matter of arms.

The sudden ferocious appearance of towering Scandinavian Vikings along the Rhineland might well have set off exaggerated tales of their height and strength, and the similarity of their tribal name, the Geats, may well have assisted in linking them, at least in written records, to the traditional giants known as Getae. In view of the literary reputation of the Getae, I think the common explanation of our Hygelac reference as a piece of popular folklore, a folk-memory given color by some huge bones *in situ*, with the author himself possibly one of the travelers to Frisa who came and saw and marveled,⁶⁷ may be rather misleading.

66 Transl. by E. Brehaut, *An Encyclopedist of the Dark Ages: Isidore of Seville*, Columbia University Studies in History, Economics and Public Law, 48 (New York, 1912), p. 211. In his short *Historia Gothorum*, Isidore similarly speaks of the Getae as "staturae proceritate ardui," of exceptional stature. The long and persistent classical tradition which associated the ancient Getae or Dacians with giants is traced in detail by Jane A. Leake, *The Geats of Beowulf* (Madison, 1967), pp. 19-20, 46-49.

67 As was inferred, e.g., by Suzanne Backx, *Latomus*, 3 (1939), p. 61. But just previously the author, in using personal experience, makes it quite plain that he is so doing: "I may state that I myself knew" (H.223.5-6: "Me enim ... cognovisse testor"); he writes in the same direct way later on, I.30, with reference to coal-black Africans, "I have seen one of them" (H.230.22: "quorum nos

Like most of the other material in the *Liber*, the basic facts may well have come from books. The real question, of course, remains: was one of these books an early copy of *Beowulf*, or conversely was our work read by the author of *Beowulf*? The regular decision, that if there is any link, it is in the matter of folktales in oral circulation, does not seem to be the only way out. The author of *Beowulf* was no doubt a learned man, with a wide range of Christian-Latin reading behind him, as Margaret Goldsmith's penetrating study has now made likely,⁶⁸ and with an underlying purpose which went far beyond an artistic retelling of popular tales.

The case has been argued at length by Jane Leake⁶⁹ that in the matter of the Hygelac incident *Beowulf* represents a changed and derivative manipulation of historical facts: that Hygelac was originally a Dane, as the early Frankish histories and later Scandinavian accounts make him out, but that it suited the purpose of *Beowulf* to turn him into a Geat, a member of the same race as the hero himself, because the poet had read in the *Liber* that Hygelac ruled the Getae, originally Gauti or some such form closer to Old English *Geatas*. The *Liber*, in this view, becomes "the bridge that spans the gap between history and fantasy,"⁷⁰ with the

quendam vidimus"). As to oral folklore origin, one might possibly ask this question: had the Hygelac allusion been derived entirely from this, and so been subject to its usual exaggerations, would not the unfortunate horse have soon been inflated to sufficiently gigantic proportions for it to be able to bear its giant master, a more customary folktale situation? (The loose Latin of the passage would allow for *cuius ossa* to refer to the horse rather than the king, but this would kill off Hygelac at the unheroic age of twelve!) Influential statements in favor of folklore here may be cited from W. W. Lawrence, *Beowulf and Epic Tradition* (Cambridge, Mass., 1928, repr. 1930, also New York, 1961, 1963), p. 94: "The fact that Hygelac is made a kind of giant suggests familiarity rather with current oral traditions than with the epic;" and Dorothy Whitelock, *The Audience of Beowulf* (Oxford, 1951, repr. 1958, 1964), p. 53: "The mere fact that they [*i.e.*, such monsters as appear in the *Liber monstrorum*] were of popular, and not learned origin, might be enough to disqualify Grendel and the dragon." The opposite view is put by K. Sisam, *The Structure of Beowulf* (Oxford, 1965), p. 6: "There are [in *Beowulf*] none of the exotic monsters that a reader of Latin would meet with occasionally in ... the *Liber monstrorum*," implying that our work is essentially learned. With this implication I concur, but I try to show below that there is not, therefore, a sharp difference between all the monsters chosen for the *Liber* and the monsters of *Beowulf*. Neither work, in my view, should be classed as "popular" in the sense of being drawn principally or directly from oral material.

68 Goldsmith, *op. cit.* (1970). The impressive evidence she assembles for the poet's Christian learning and knowledge of patristic exegesis may be accepted without the necessity of following her all the way into an interpretation of *Beowulf* as an extended allegory of the virtuous but unregenerate man. She draws much from the learning of Aldhelm, already considered above as an example of the sort of bookish interests shared by the author of the *Liber*. And if the *Liber* belongs within the circle of Aldhelm and his associates, so too, on such evidence, may *Beowulf*. Of course, if the Hygelac allusion is taken as essentially folklore, Aldhelm's second reputation, as a skilled singer of his ancestral lore, more obviously applies.

69 Jane A. Leake, *The Geats of Beowulf* (Madison, 1967), especially pp. 121-126.

70 Leake, p. 125.

Beowulf poet having crossed to the side of fantasy. With the theory of either original or later Danish affiliations for Hygelac I am not here concerned, but the theory that the author of *Beowulf* had read the *Liber* account surely cannot rest securely on one small detail of one small item. The essential accuracy of *Beowulf* in describing this incident, as in other historical allusions of the poem, need not be seriously doubted. By contrast, the author of the *Liber*, as we have seen, handles his sources in a rather careless and arbitrary fashion, recognizably distorting bits of information from the Alexander texts, Virgil, Isidore, and Roman history. The case, or bridge, appears to collapse if one is not obliged to equate Geats and Getae, but sees in the latter name only a literary echo of a popular association.

I find almost equally dubious the forthright negative statements of Margaret Goldsmith:⁷¹ "The one solid conclusion to be drawn from the English origin of the *Liber Monstrorum* is that the eighth-century Anglo-Saxons knew the story of the death of Hygelac apart from *Beowulf*," and "There are no signs that either author knew the other's work." I would agree there is little case for numbering the *Liber* among the sources of *Beowulf*, since the poet seems quite capable of developing his own monsters and uses them in distinctive ways in which allegory may have some part; but I think it quite possible that the *Liber*, to some slight extent, in among several other eclectically chosen sources, drew on a literary version of *Beowulf* which need not have been specially different from, or more primitive than, the surviving copy. His Hugilaicus as a dead giant may well be drawn from elsewhere. I would rest this case on other items of the *Liber*, and cannot accept the assumption of Sisam⁷² that all the monsters of the *Liber* are fundamentally different from those in *Beowulf*. No doubt, as Dorothy Whitelock goes on to say of our author, "It would have been difficult to convey an impression of him (Grendel) in a few Latin sentences," but I think the attempt may have been made at one or two of the following places in book I of the *Liber*.

Among the most evident features and habits of Grendel in *Beowulf*, too regularly mentioned to need detailed references, one may cite, in addition to general beastliness and monstrosity: (1) his resemblance,

⁷¹ Goldsmith, pp. 98-99, following the lead of Dorothy Whitelock, *The Audience of Beowulf* (Oxford, 1951), p. 53.

⁷² K. Sisam, *The Structure of Beowulf* (Oxford, 1965), p. 6: "Beowulf fights against monsters that lived in the imagination of the Anglo-Saxons; sea-monsters that attacked ships and swimmers; man-eating giants; a fiery dragon." Of these only the dragon, a more conventional symbol of death and destruction, is in fact missing from the *Liber*.

physical and psychological, to human beings, though like his mother he is on a larger physical scale; (2) his sleeplessness by day as he enviously listens to the joys of men from which he is excluded; (3) his life in darkness and swampland; (4) his preference, if not compulsion, for making his cannibalistic excursions by night; (5) the fact that he is a being of the land, and drawn to attack the habitations of men (Grendel's mother, also nocturnal, and the miscellaneous beasts encountered by Beowulf are creatures of the watery deeps, while the dragon, though he belongs to earth, air, and fire, rather than water, also roams in hostility by night). Scattered through the *Liber*, and mostly at places where sources fail us, we find one or other of these same features in four self-contained entries, that is, if we set aside as more commonplace references to various sorts and conditions of cannibals and sea-monsters, and the sort of glowing eyes with which Grendel, at one place (lines 726-727), is said to be equipped.

In I.32, the account of a monster attacking ships and sailors has, to my knowledge, no known direct source, and lacks any precise location:

There is also the report of another monster who lived in a certain place near the Ocean. When it saw a boat sailing on the sea offshore, and its sailors hesitating to touch land because they were frightened at the sight of it, it would seize the boat in the midst of the deep and leave boat and crew on dry land.

Et ferunt monstrum aliut in quodam loco iuxta Oceanum fuisse, quod ut barcam adlabi undis de litore cernebat et nautas haesitantes ad terram venire visu eius territotos, in medio rapiebat gurgite et navem cum hominibus in terram deposuit aridam. (H.231.6-10)

At a distance, the Aristotelian *History of Animals*, VIII.276, has a tale of a snake which swam out and capsized a trireme, but this is too circumstantial and remote to speak of sources. The passage is not close to any incident in *Beowulf*, but feature (5) above is involved. In I.34, we seem closer to *Beowulf* with swamp monsters having human heads, that is incorporating features (1) and (3):

They also tell of monsters in swamps with three human heads, and these are said to live like nymphs (*i.e.*, naiads) beneath very deep pools. It is wrong (*profanum*) to believe this, as currents do not flow there by means of which a huge monster can enter.

Et dicunt monstra esse in paludibus cum tribus capitibus humanis et sub profundissimis stagnis sicut nymphas habitare fabulantur. Quod credere profanum est, ut non illuc fluant gurgites quo inmane monstrum ingreditur. (H.231.15-19)

Again, no source is known or precise location given. In I.42, we seem closer still, with features (1), (2), and (5) well represented in a specific predator:

They also say, what is sinful (*nefandum*) to be said, that there was a certain nocturnal monster which, always by night in the shadow of the sky and the earth, snatched away men in cities, terrifying them with its horrid cry; and it had as many eyes, ears, and mouths as feathers on its body. It is also described as having always lived without rest or sleep.

Et dicunt, quod dici nefandum est, *monstrum* quoddam nocturnum fuisse quod semper *noctu per umbram caeli et terrae volabat* homines in *urbibus* horribili *stridore* territans, et *quot plumas in corpore habuit, tot oculos, totidem aures et ora*. Semper quoque sine requie et *somno* fuisse describitur. (H.233.12-17)

Here, however, a recognizable reminiscence may be seen of the description of personified Fama or Rumor in Virgil (*Aen.* IV. 180-188, Virgil's wording being indicated above in italic), which the author has taken for a literal monster.⁷³ Lastly, in II.21, another untraced and unlocalized account is given, of nocturnal shape-changers, illustrating features (4) and (5):

They also say there are nocturnal beasts, not so much beasts as horrid prodigies, which are never seen in daylight, but only in the shadows of night. They say that these can turn themselves into the form of any beast when they are frightened by fear of pursuers.

Et dicunt bestias esse nocturnas, et non tam bestias quam dira prodigia, quod nequaquam in luce set in umbris cernuntur nocturnis, quas ferunt in omnium bestiarum formas se vertere posse dum insequentium timore perturbantur. (H.242.20-24)

Even without assuming, from the Hygelac allusion in I.3, a first acquaintance with *Beowulf*, one can reasonably say of these four items that they have collectively some resemblance to the monsters of *Beowulf*, and in particular to Grendel. (Grendel has, of course, an innate predisposition to being dismembered!) They are nameless, inert, mere shadows; they have no story or pedigree, though the taint of evil which

⁷³ Compare W. F. Jackson Knight, transl., *Virgil: the Aeneid*, Penguin Classics, L.51 (Baltimore, 1956), pp. 102-103: "Rumour is fleet of foot, and swift are her wings; she is a vast, fearful monster, with a watchful eye miraculously set under every feather which grows on her, and for every one of them a tongue in a mouth which is loud of speech, and an ear ever alert. By night she flies hissing through the dark in the space between earth and sky, and never droops her eyelids in contented sleep. In the daylight she keeps watch, sometimes perched on the roof-top of a house and sometimes on the tall towers of a palace. And she strikes dread throughout great cities."

Grendel explicitly inherits from Cain may be hinted at in the labels *profanum* and *nefandum* applied to two of them, labels which would more obviously apply to material of a reasonably contemporary popularity. They do represent the sort of stripped down short reference which is the author's economical fashion with his material elsewhere in the book. They are certainly intended to rank among the author's dictional material, "gathered" (as he says at the end of his first book, I.57) "from the foamy deeps of fables to these shores,"⁷⁴ along with plenty of others which could have been inserted. If anyone finds traces of them all elsewhere than in *Beowulf*, their validity as evidence for the author's knowledge of *Beowulf* is, of course, destroyed. But unless such a discovery is made, these shadowy figures may be pieced together to form the outlines of a Grendel, whereas one can hardly find enough substance in them to make the most rare monster which is the poet's Grendel. In other words, the author of the *Liber* may have combed through something like the surviving *Beowulf* much as he did Virgil, content with bare scraps of monstrosity.

And if the monster of I.42 is Virgilian, so too may certain features of Grendel be. One may perhaps revive the old suggestion⁷⁵ concerning the descent of Grendel from Cain, that the underlying notion may have been influenced by the Hydra of Virgil's *Aen.* VI.576-577, "loathsome with fifty black mouths," who is in patristic commentary associated with Cain as a type of the heretic. This Hydra, guarding the lower world, is possibly not the same creature as the Lernaean Hydra of *Aen.* VI.287, "the monster of Lerna hissing dreadfully," VII.658, "the Hydra surrounded by serpents" on the shield of Aventinus, and VIII.300, "the Lernaean snake with its host of heads." No doubt drawing from Virgil, the author of the *Liber* also seems to differentiate his Hydras. The one in II.9 is like that of *Aen.* VI.576-577:

Many fables of the Greeks in ancient books of philosophy record that there were once what are now considered to be unbelievable happenings for both monsters, beasts, and serpents. Of these we shall review a portion. Amongst them is described the beast of Lerna, which Greeks as well as some Romans make out as being now in the lower world, as horrid in its roar as it was fearsome in its shape.

74 H. 236.16-17: "ea quae de spumosis fabularum gurgitibus ad haec litore connessi." The phrase, if not a mere rhetorical flourish, might possibly imply a consciousness of the foreign origin of much of the author's material.

75 T. B. Haber, *A Comparative Study of the Beowulf and the Aeneid* (Princeton, 1931), pp. 110-111, citing earlier references.

Ferunt fabulae Graecorum plurima in libris antiquitatum suae philosophiae quondam fuisse quae nunc incredibilia videntur tam de monstris quam etiam beluis et serpentibus. De quibus partem replicaturi sumus. Inter quae belua Lernaee describitur, quam nunc apud inferos esse, tam horrendam stridore quam forma terribilem, Graeci cum quibusdam fingunt Romanis. (H.239.19-240.6)

In III.1 and 3, however, the second sort seems to be meant:

The fables of poets make out that there was the Lernaean snake, terrible with its breath, harmful with its Tartarean poison, and frightful with its three tongues. From the midst of its forehead sprouted a great swarm of monsters and serpents, and hair of a viperous kind like that of the Eumenides

The Hydra is said to have been an armed snake ..., and like Scylla, so it too is described as having been begirt with monsters and serpents.

Lernaemum autem anguem poetarum fabulae fingunt dirum fuisse spiramine et Tartareo nocivum veneno et linguis triplicibus terribilem. Cui de media fronte turba ingens monstrorum ac serpentium pullulabat generisque velut viperei eumenidum crines

Hydra anguis armatus fuisse describitur ... et sicut Scylla monstris ita et haec serpentibus praecincta fuisse fingitur. (H.246.6-10, 246.19-247.1)

There remains the *Beowulf* manuscript. In its sole surviving early copy, ca. 1000, the poem is immediately preceded by three Old English prose texts and followed by a fragment of the Judith story in Old English verse. Where there has been mutilation, as in the first and last items, it must have taken place in earlier copies. In all four, as in *Beowulf*, some interest in monsters and marvels can be discerned: the fragment of a life of Christopher, the 'carrier of Christ,' centers on a saint-martyr regularly thought of as a person of gigantic stature (twelve fathoms tall in Old English as compared with twelve cubits in the Latin source), and indeed occasionally classified as a 'Cynocephalus' or Dog-headed giant of the sort mentioned in the *Liber monstrorum* (I.16); the *Letter of Alexander* and the *Wonders of the East* which follow have already been considered, above, and of these the second, while not specifically linked to the fictional exploits and encounters of Alexander in India, is certainly derived from such material; Judith is something of a female Beowulf, and Holofernes, the antagonist whom she slays in order to save her people, while not described as physically monstrous, is clearly a monster of depravity, with something of the fiend about him. It is not far-fetched, therefore, to see in this assemblage of items more than chance: whoever organized these anonymous texts for copying may well have been influenced by their monster associations, which furnish the most

evident unification, and the manuscript can plausibly be called something of a *Liber monstorum*.⁷⁶ The monsters involved are in each case fitted into more or less historical situations, and are regarded as part of life rather than as symbols of the kind exploited in the medieval bestiary and the Physiologus. Estimation of date and circumstances varies widely, but aside from *Beowulf* all have the common factor of being recognizably adapted from Latin sources. Into such a framework, and such a viewpoint, the *Liber monstorum*, though surviving only in Latin, also fits; the Latin of two of these works, the *Letter* and the *Wonders*, belongs among its considerable sources.⁷⁷ Probably more intensive study is needed before, if ever, one could ascribe all three to the same approximate period or locality, and this is not a necessary assumption; in the case of *Judith*, we seem to have a poem distinctly later than the likely period of *Beowulf*.⁷⁸ All this is generally accepted. My only additional comment concerns some of the implications.

One is that, apart from *Judith*, and perhaps also the *St. Christopher* fragment, the common interest of such writings is quite likely to have been first productive in the late-seventh or earlier-eighth century, and then continued or revived in the late-tenth and, in the case of the Latin originals, well after that. Secondly, such an interest was both serious and traditional, not to be dismissed, as Hotspur impatiently dismisses the birds and beasts of prophecy and heraldry, as "such a deal of skimble-skamble stuff." Even an author limited to a bare catalogue of marvels would search widely for source passages. Our particular author, of

76 The notion is developed notably by K. Sisam, "The Compilation of the *Beowulf* Manuscript," *Studies in the History of Old English Literature* (Oxford, 1953), pp. 65-96; see also Wittkower, *art. cit.* (note 16), p. 175; C. L. Wrenn, *A Study of Old English Literature* (New York, 1967), pp. 252-254.

77 All three texts had an existence apart from *Beowulf*. Four copies of the *Liber* are now known. A second Old English copy of the *Wonders*, not very close to the *Beowulf* manuscript, survives in British Museum, Cotton Tiberius B.5 (ca. 1050), with color illustrations; and a copy of its Latin source is found in Oxford, Bodleian 614 (2144), of the later-twelfth century. Another insular text of the Latin *Letter* survives in B. M. Harleian 2682, of the tenth century.

78 The Old English versions of the *Letter* and the *Wonders* may be as early as the eighth century, according to K. Sisam, *Studies in the History of Old English Literature* (Oxford, 1953), pp. 74-82, and Nora K. Chadwick, in P. Clemoes, ed., *The Anglo-Saxons* (London, 1959), pp. 197-198. But there is no general agreement. For another view, favoring Mercia of Alfred's day, see C. L. Wrenn, *A Study of Old English Literature* (New York, 1967), p. 254; while S. B. Greenfield, *A Critical History of Old English Literature* (New York, 1965), pp. 64-65, on internal grounds suggests ca. 950 for the *St. Christopher* but eighth-century Mercia for the *Wonders* and the later-ninth century for the *Letter*. If the Latin original of the *Wonders* is as early as the fourth century (R. Wittkower, *Journal of the Warburg and Courtauld Institute*, 5 [1942], 172), the *Letter* which shares some of its material is likely to be at least as early; see further E. Faral, "Une Source Latine de l'Histoire d'Alexandre: la Lettre sur les Merveilles de l'Inde," *Romania*, 43 (1914), 199-215, 353-370; M. R. James, *The Marvels of the East*, Roxburghe Club (Oxford, 1929).

the *Liber monstrorum*, ranged so widely that his sources may well have included the monsters of *Beowulf*. Lastly, if this is so, something like our *Beowulf* was in circulation as a written document before the mid-eighth century, and possibly fifty or more years before that time.

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THE CONTINUATIONS OF THE *FLORES HISTORIARUM* FROM 1265 TO 1327

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MATTHEW Paris started the *Flores Historiarum*, a general history based on his own works, at the Creation of the world, and ended in 1249.¹ A copy of this chronicle (now MS. 6712 in Chetham's Library, Manchester) was made at St. Albans under Matthew Paris's supervision; he himself wrote the text from 1241 to 1249² and helped his pupils draw the series of pictures of the coronations of English kings (Arthur, Edward the Confessor, and the kings from William the Conqueror to John).³ This manuscript was probably executed specially for the monks of Westminster in about 1250.⁴ However, it was not transferred to Westminster until 1265, after a continuation from 1250 to 1265 had been added at St. Albans.⁵

The *Flores Historiarum* was continued in Westminster Abbey from 1265 to 1327. The first continuation ends abruptly in February 1307, and the second continuation begins with a notice of Edward I's death, on 7 July, 1307, and ends with Edward III's accession, on 25 January, 1327. The problems raised by both continuations have been studied with especial reference to the manuscript evidence by a number of scholars, F. Mad-

1 Matthew Paris' *Flores Historiarum* and its continuations are printed in *Flores Historiarum*, ed. H. R. Luard, 1 (Rolls Series, 1890, 3 vols.).

2 See R. Vaughan "The Handwriting of Matthew Paris," *Transactions of the Cambridge Bibliographical Society*, (1953), 384, 390, and N. R. Ker, "From 'Above Top Line' to 'Below Top Line,'" *Celtica*, 5 (1960), 15-16. I am grateful to Miss Hilda Lofthouse, librarian of Chetham's Library, for allowing me facilities for examining the manuscript.

3 The pictures are described and reproduced by A. Hollaender, "The pictorial work in the *Flores Historiarum* of the so-called Matthew of Westminster," *BJRL*, 28 (1944), 361-381. The picture of Henry III's coronation is missing because of the loss of a leaf. The picture of Edward's coronation was executed at Westminster.

4 See *Matthaei Parisiensis Monachi Sancti Albani, Historia Anglorum*, ed. F. Madden (Rolls Series, 1866-1869, 2 vols.), I. 24 n. 1, and V. H. Galbraith, *Roger Wendover and Matthew Paris* (Glasgow, 1944, reprinted 1970), p. 25 and n. 2. To this evidence may be added the fact that the picture of the coronation of Edward the Confessor in the Chetham MS. (f. 115v of the library's foliation) is twice as big as the other coronation pictures, covering half a page.

5 See Madden, *op. cit.* i. xxiii-xxiv.

den,⁶ H. R. Luard,⁷ W. Stubbs⁸ and T. F. Tout.⁹ Nevertheless, problems concerning the composition and authorship, and even the provenance of one version, remain. By reviewing the manuscript evidence again in close conjunction with the style and content of the continuations, it is possible to make new suggestions which could contribute to the solution of some of these problems.

The first continuation, from 1265 to 1307, survives in a number of manuscripts and in two versions. Luard describes the Chetham MS. and fourteen other manuscripts containing the same version of the text, none of which is the author's/ authors' autograph.¹⁰ The Chetham MS., which also contains the text of the second continuation, to be discussed below, is itself a copy made by a number of scribes, mostly of the late thirteenth and early fourteenth centuries. The annals from 1298 to 1302 are in a later fourteenth-century hand, which may also have written the last part of the annal for 1326 and that for 1327 in the second continuation:¹¹ certainly this section was copied well after the events it records. Other manuscripts of this version, which for convenience may be called the 'Westminster' *Flores*, are known to have belonged in the middle ages to the monasteries of Norwich, Rochester and Tintern, and one was owned by St. Paul's cathedral.

The other version of the 1265-1307 continuation of the *Flores* is based on the 'Westminster' *Flores* but has considerable variants, omissions and additions. The earliest known manuscript of this version was copied at or more probably for the Augustinian priory of Merton in Surrey, and is now MS. 123 in Eton College Library.¹² All the six copies of this version, which we will call the 'Merton' *Flores*, described by Luard apparently descend from the Merton manuscript.¹³ The evidence that the

6 Madden, *op. cit.* i. xxiv-xxvii and nn.

7 *Flores*, ed. Luard, i. xii-xvii, xl-xliii.

8 *Chronicles of the Reigns of Edward I and Edward II*, ed. William Stubbs (Rolls Series, 1882-1883, 2 vols.), ii. xii-xiii.

9 T. F. Tout, "The Westminster Chronicle attributed to Robert of Reading," *EHR*, 31 (1916), 450-464 (reprinted in *The Collected Papers of T. F. Tout* (Manchester, 1932-1934, 3 vols.), ii. 289-304).

10 *Flores*, i. xii-xxxiii.

11 See *Flores*, i. xiv, and Tout, *op. cit.* pp. 459-460.

12 I am indebted to Mr. Patrick Strong, librarian of Eton College, and to the College authorities, for depositing Eton College MS. 123 in the British Museum for me to study. The text is a fair copy in a book-hand, although from the end of 1284 there are occasional changes of ink and perhaps of handwriting. The manuscript ends incomplete in 1306 because of the loss of a leaf, but there is no reason to suppose that it did not once extend to the beginning of 1307 where the 'Westminster' *Flores* ends, as do the descendants of the Eton MS.

13 Luard, *op. cit.* i. xv-xvii, xxix-xxxiii. The so-called Tenison MS., formerly Philipps MS. 15732, is now MS. 426 in the Beinecke Rare Book and Manuscript Library in Yale University Library. (See the catalogue of H. P. Kraus, New York, no. 117, 1967, item 29). A microfilm is in Nottingham University Library. The text is a conflation of the 'Merton' *Flores* and the 'Westminster' one, which

Eton College MS. was made for the canons of Merton is irrefutable: the manuscript has early notices concerning Merton priory in the margins,¹⁴ and the letter of Edward I containing the submissions of the competitors for the throne of Scotland to his judgement as overlord, of 1291, in the text is addressed to the prior and convent at Merton.¹⁵ Therefore, it has generally been accepted that the 'Merton' *Flores* was actually composed at Merton.¹⁶ Nevertheless the evidence for this is inconclusive. The 'Merton' *Flores* only copies two of the four entries in the 'Westminster' *Flores* relating to Merton priory,¹⁷ and shows no especial interest in the Augustinian order in general. (On the other hand, one of its long additions to the 'Westminster' *Flores* concerns the fate of a Benedictine abbey, Dunfermline, which was sacked by the Scots in 1303).¹⁸

It seems more likely that the exemplar of the Eton College MS. was written at Westminster. The Eton College MS. itself provides some evidence supporting this view. It has a series of pictures of the coronations of the kings of England from William the Conqueror to Edward I, of better quality than the rather mediocre handwriting seems to justify, which were presumably copied from its exemplar. As has been seen Matthew Paris provided a similar series of pictures for the copy of the *Flores* which he apparently intended for the Westminster monks, who had of course a close interest in the coronation ceremony. Not only was the coronation performed in their church, but they also had custody of the regalia and of the books relating to the service.¹⁹ The artist of the exemplar of the Eton College MS. has one detail which shows

accounts for the fact that its copy of Edward I's letter on the Scottish succession case (see below) is addressed to the abbot and convent of Westminster, not to the prior and convent of Merton. The annal for 1306 and the first part of that for 1307 derive from Nicholas Trevet's *Annales*. It ends with the appreciation of Edward I (for a small addition see below n. 82) and an account of events up to the deposition of Edward II, from Murimuth. It ends with two lines of verse:

Carneruam natus, princeps Edwardus amatus;
Ingratis gratus, est morte graui cruciatus.

For references to other conflated texts see *Flores*, i. xx.

14 See *Flores*, iii. 250 n. 1, 292, 302 n. 4 (Eton College MS. ff. 227, 251^v, 254^v). For an insertion in the text concerning Merton priory see *ibid.* iii. 84.

15 See *Flores*, i. xvi.

16 However, Richard Vaughan doubts the Merton provenance of the exemplar of the Eton College MS.; see his *Matthew Paris* (Cambridge, 1958), p. 101.

17 *Flores*, ii. 46, 51. For the entries in the 'Westminster' *Flores* concerning Merton priory omitted in the 'Merton' *Flores* see *ibid.* ii. 81 and n. 3, 88 and n. 1.

18 *Flores*, iii. 311-312.

19 See P. E. Schramm, *A History of the English Coronation*, translated from the German by L. G. Wickham Legg (Oxford, 1937), pp. 40, 75, 80.

his knowledge of the regalia. He depicts Edward I holding the rod with the dove, carefully delineated, in his right hand.²⁰ The rod with the dove also appears in the picture of King John's coronation, only less well drawn. This emblem is not generally represented in fourteenth and fifteenth century art, although it was in use in the coronation service at least from the time of Richard I. Usually the king is shown holding a rod with a floriated finial in his right hand (he held the sceptre with fleur-de-lis and orb in his left hand), as in the other coronation pictures in the Eton College MS. It is surely likely that the rod with the dove had attracted the especial attention of the artist of the exemplar of the Eton College MS. If he was working at Westminster his interest in the emblem could have been aroused at the time of Edward I's funeral, because the king was buried in full regalia, holding the rod with the dove. The actual rod, which was described in detail after Edward's tomb was opened in 1774, bore a close resemblance to the artist's representation.²¹ The artistic evidence could, therefore, be interpreted as indicating that the 'Merton' *Flores* was composed and illustrated at Westminster soon after Edward I's funeral. More evidence supporting this hypothesis will be adduced when discussing the author's outlook and argument.²²

Neither version of the continuation of the *Flores Historiarum* from 1265 to 1307 has an ascription of authorship. On the other hand the continuation from 1307 to 1327 was according to its own evidence composed by a monk at Westminster called Robert of Reading up to the beginning of the annal for 1326. The relevant passage reads:

Sicque frater Robertus de Redinge, quondam monachus ecclesiae beati Petri Apostoli Westmonasterii, cronicarum, vitae quoque suae, finem conclusit. Et in praemissis magister Adam Murimoth, olim canonicus ecclesiae sancti Pauli Apostoli Londoniarum, qui texuit ab anno regni regis Edwardi secundi post conquestum sexto usque ad annum regni regis Edwardi tertii filii ejusdem vicesimum, luculentius procedit.²³

Tout has already discussed the problems inherent in this passage.²⁴ It

²⁰ Eton College MS. 123, f. 237. (The picture of King John's coronation is on f. 184). For the rod with the dove see L. G. Wickham Legg, *English Coronation Records* (Westminster, 1901), pp. lii-liii.

²¹ See Joseph Ayloffe, "An Account of the Body of King Edward the First, as it appeared on opening his Tomb in the Year 1774," *Archaeologia*, 3 (1775), 384.

²² Below pp. 476ff.

²³ *Flores*, iii, 232.

²⁴ Tout, *op. cit.* pp. 450-455. For a payment by the prior of Westminster to "brother Robert de Rading," dated 5 October 1305, see *Documents Illustrating the Rule of Walter de Wenlok, Abbot of Westminster, 1283-1307*, ed. B. F. Harvey (Camden fourth series, ii, 1965), pp. 91-92.

is not impossible that Robert of Reading was the author, but if so, there must have been more than one monk of that name at Westminster during Edward II's reign, because a Robert of Reading died in 1317, too early for the chronicler. The ascription-passage itself does not have the authority of contemporaneity. The reference to Adam Murimuth 'formerly' canon of St. Paul's dates it to after 1347, the year of Murimuth's death.²⁵ Moreover, as Tout has pointed out, the author of the remainder of the chronicle after the ascription-passage used not only Murimuth's chronicle but also that of Robert of Avesbury which was composed at the earliest after September 1356.²⁶ Therefore, the passage was written well after the middle of the fourteenth century. The manuscript evidence agrees with this conclusion. The earliest text of the 1307-1327 continuation, as of the 'Westminster' *Flores*, is in the Chetham MS. (The only other medieval copy, in Cottonian MS. Cleopatra A xvi in the British Museum, is of the fifteenth century.)²⁷ The change of hand at the beginning of the annal for 1326 noted above,²⁸ occurs at the ascription-passage. The handwriting up to this point, though clearly not the author's autograph, is of the first half of the fourteenth century. (Its near contemporaneity with the events it records is demonstrated by the fact that substantial blank spaces, some of more than half a column, are left at the end of each annal for the addition of late news). We are mainly concerned with this part of the text preceding the ascription-passage, which will be called the 1307-1326 continuation.

To turn now to the question of literary style. Tout argued on stylistic grounds, irrespective of Robert of Reading's authorship, that one author must have written not only the 1307-1326 continuation but also the annals of the 'Westminster' *Flores* from about 1298.²⁹ The whole, as Tout pointed out, is in a distinctive style: the prose is florid and bombastic with rhetorical invocations and numerous biblical allusions and citations, and is punctuated with couplets of verse. In fact these stylistic features occur in the 'Westminster' *Flores* almost from the beginning in 1265,³⁰ although they become much more noticeable after 1298: this

²⁵ See *Adae Murimuth Continuatio Chronicarum. Robertus de Avesbury De Gestis Mirabilibus Regis Edwardi Tertii*, ed. E. M. Thompson (Rolls Series, 1889), p. ix.

²⁶ *Ibid.*, p. xxii; Tout, *op. cit.*, p. 454.

²⁷ Cleopatra A xvi, ff. 67-198, contains the 'Westminster' *Flores* from 1298 to 1307 and then the 1307-1326 continuation. This is followed by the chronicles of Adam Murimuth and of John of Reading, consecutively, thus producing a continuous history from 1298 to 1367.

²⁸ Above p. 476.

²⁹ Tout, *loc. cit.* pp. 456-457.

³⁰ See for examples of biblical citations (from 1266), *Flores*, iii. 8, 9, 13, 111, 115-120 *passim*, and of verse couplets (from 1272), *ibid.*, iii. 29, 75.

suggests that the original series of annals to about 1298, which were probably written fairly close to the events recorded, were refurbished and continued to 1307 in the florid style in the early fourteenth century. This style is particularly characteristic of the 'Merton' *Flores* (which apparently. Tout did not distinguish from the 'Westminster' one).

Two passages may be quoted, one from the 'Merton' *Flores* and one from the 1307-1326 continuation, to show the marked stylistic similarity between these works. The passage in the 'Merton' *Flores* describes the plight to which England was reduced by the Provisions of Oxford. It reads:

Reliqua autem hujus provisionis, videlicet causam, exordium, et processum, regni vero divisionem et desolationem, contentiones et discordias, deprædationes et incendia, intrusiones ecclesiarum, persecutiones clericorum, obsidiones castrorum, tribulationes civitatum, exhaeredationes procerum, gemitus pauperum, extorsiones plebium, redemptiones captivorum, defectus senum, miserias orphanorum, deflorationes et suspiria virginum, fletus et lamenta viduarum, praelia et seditiones, et caetera dampna et gravamina, quae ab initio prædictae provisionis usque post bellum Eveshamiae illius occasione in regno Angliae acciderant et fiebant, quae vox, quae poterit lingua retexere?³¹

The 1307-1326 continuation has a similar lament on the state of England after the battle of Boroughbridge, reading:

Planxerunt mulieres generosae maritorum privationem et natorum, luxerunt ingenui parentum amissionem, doluerunt cives urbium desolationem, deflevit Ecclesia propriam et regni subitam confusionem, quibus communitas undique vallata, liber et servus, dives et pauper, quisque recenter sumpsit lamentum, et qui videbantur laetitiam in vultu praeferre, genas suas occultis lacrimis lugentes regabant.³²

Two examples may be given to illustrate the use in both works of biblical allusions and citations. The passage from the 'Merton' *Flores* is part of the account of Edward I's siege of Stirling castle in 1304. It has extracts from 2 Reg. xi. 20, 21 (here printed in italics), Joab's advice to David, woven into its text:

Res stupenda nimis, ex turbine molae violentissimo, quasi ad ictum tonitruï, dextrarius regis resupinatis pedibus corruit, quasi asina Balaam dans locum exterminatori. Et accurrentes commilitones traxerunt regem per declivum montis, increpantesque dixerunt, "Domine, quare proprius

³¹ *Flores*, iii. 248.

³² *Flores*, iii. 213.

caeteris inermis ad murum acceditis, ut praeliamini? *An ignoras quod multa desuper ex muro tela mittantur ? Quis percussit Abimelech filium Jerobaal ? Nonne mulier misit super eum fragmentum molae de muro, et interfecit eum in Thebes ? Manete amodo in papilionibus. Sive enim fugerimus, non magnopere de nobis ad eos pertinebit, sive media pars de nobis ceciderit, non satis curabunt, quia sola persona vestra pro decem milibus computatur. Melius est igitur ut sitis nobis aliorum in praesidio.*"³³

The comparable passage in the 1307-1326 continuation describes the escape of Roger Mortimer, the younger, from the Tower of London in 1323. It uses the account of St. Peter's escape from prison, in Act. xii. 4, 6-11, and reads:

misit rex crudelis ministros detestabiles ad Turrim Londoniarum, ubi Rogerus et Rogerus de Mortuo Mari compedibus habebantur constricti, ut denuo majori artarentur supplicio dolentes, *volens* post paucos dies juniorem Rogerum *producere populo* et acerba morte dampnare. *Cumque producturus eum esset rex, ecce in nocte sancti Petri ad Vincula Spiritus Domini astitit et gratia ejus affuit in habitaculo carceris, tactoque corde Rogeri excitavit eum dicens, 'Surge velociter et sequere me. Et egressus sequebatur eum, quia verum est quod fiebat per Christum; non ergo aestimabat se visum videre. Transiens autem primam et secundam custodiam pervenit ultra Thamense flumen ...'*³⁴

Comparison of these four passages surely helps dissipate any remaining doubts as to the Westminster provenance of the 'Merton' *Flores*. Moreover, the isolation of this literary style links both versions of the *Flores* from 1265 to 1307, and the 1307-1326 continuation to two other works. The account in the 'Westminster' *Flores* of the burglary of the royal treasury at Westminster in 1303³⁵ refers in its concluding words to its source:

"Subsequitur passio monachorum Westmonasteriensium secundum Johannem, cujus copiam non habentis quaerant et invenient et postulant accipiente."

This tract on the burglary, the "passion according to John," is now apparently lost. On the evidence of the extract in the 'Westminster' *Flores*, which has a bombastic tirade, replete with biblical citations, against the imprisonment by the king of ten Westminster monks accused of complicity, the original tract must have been in the same style as the 'Mer-

³³ *Flores*, iii. 318.

³⁴ *Flores*, iii. 217.

³⁵ *Flores*, iii. 115-117. For reference to this account of the burglary see T. F. Tout. "A Mediæval Burglary," *BJRL*, 2 (1914-1915), 364. For the burglary in general see *ibid.* pp. 348-369, E. H. Pearce, *Walter de Wenlok, Abbot of Westminster* (London, 1920), pp. 146-166, and H. F. Westlake, *Westminster Abbey* (London, 1923, limited edition, 2 vols.), ii. 430-446.

ton' *Flores* and the 1307-1326 continuation. The fourth work in this group is the *Commendatio Lamentabilis in Transitu Magni Regis Edwardi*, a lamentation on the death of Edward I addressed to his queen, Margaret, by 'John of London'.³⁶

The *Commendatio Lamentabilis* starts with a eulogistic description of Edward's appearance and character (modelled on Peter of Blois' description of Henry II) and proceeds with panegyrics on him, spoken, as it were, by Margaret and various social groups (the bishops, the earls and barons, the knights, and the like). It has obvious stylistic affinities with the 'Westminster' and 'Merton' *Flores*, with the 1307-1326 continuation and, judging from the surviving extract, with the tract on the burglary. The 'Merton' *Flores* and the 1307-1326 continuation both have passages in the threnetic mode (for example the laments on the condition of England quoted above),³⁷ while the extant passage from the tract on the burglary is virtually a lament on the fate of the suspect monks. Furthermore, the *Commendatio Lamentabilis* is in the characteristic florid prose, with biblical allusions and rhetorical invocations. To illustrate the similarity a passage in the *Commendatio Lamentabilis* may be compared with one in the 'Merton' *Flores*. Addressing Edward I's knights the *Commendatio Lamentabilis* recalls the peace imposed by the king; it reads, with an allusion to Isai. ii. 4 ('Et conflagrant gladios suos in vomeres'): "Gladii nostri conflagrantur in vomeres et in falces bellastices lanceae rediguntur." It then invokes England: "O felix Anglia et vere beata terra cujus rex est nobilis Quo proficiscente in regione viventium et ejus regnante vocabulo pax vigescit, aemulus obmutescit, et tranquillitate ecclesia reflorescit."³⁸ The comparable passage in the 'Merton' *Flores* is in an invocation of England, with reference to her sufferings during the Barons' War. The author recalls her previous peace and prosperity: "In te, gladiis conversis in vomeres, pax et religio viguerunt, ut caeteris omnibus regnis catholicis speculum sisteres et exemplum."³⁹

There is some, though inconclusive, evidence concerning the authorship of these works. The 'John' who wrote the burglary-account could of course be 'John of London,' the author of the *Commendatio Lamentabilis*. However, such an identification is only valid if this John of London was a monk of Westminster, which cannot, because the name was a

36 The *Commendatio Lamentabilis* is printed *Chron. Edward I and Edward II*, ed. Stubbs, ii. 3-21. Its view of history is discussed in B. Smalley, *English Friars and Antiquity in the early fourteenth Century* (Oxford, 1960), pp. 9-12.

37 Above pp. 447-8.

38 *Chron. Edward I and Edward II*, ii. 16.

39 *Flores*, iii. 267.

common one, be proved. Nevertheless, there was a monk at Westminster called John of London in the early fourteenth century.^{39a} He is apparently to be identified with John Bever, a monk at Westminster.⁴⁰ This identification provides corroborative evidence for his authorship of the 'Merton' *Flores*, because one fourteenth-century copy (an abbreviated text from St. Augustine's Canterbury), has a note contemporary with the manuscript attributing the work to John Bever.⁴¹ There is, therefore, the possibility that John of London *alias* John Bever, monk of Westminster, wrote the 'Merton' *Flores*, the burglary-account and the *Commendatio Lamentabilis*. He may also have been responsible for the 'Westminster' *Flores* in its present form: he may have revised a preexisting continuation of the St. Albans' *Flores Historiarum* to about 1298 and then continued it to 1307. (The reference to John's *passio monachorum* could be to the author's own work). On stylistic evidence he could also have written the 1307-1326 continuation. However, this conclusion would be rash because it would involve discarding the medieval attribution to Robert of Reading, who, as a product of the same literary school, might well have written a similar florid prose.

It is now necessary to examine the light thrown on the continuations of the *Flores Historiarum* from 1265 to 1327 by their outlook and argument. Just as the continuations have a distinctive prose style, so

39^a "A 'John of London' appears among the monks of Westminster indicted by Edward I for complicity in the burglary of the royal treasury in 1303; *CPR*, 1301-1307, p. 195: For an identification of John of London, the monk of Westminster, with a former rector of Nēwland in the Forest of Dean (1264-1302), of the same name, see C. Fortescue-Brickdale, 'A Gloucestershire Rector's Lament for Edward I', *Transactions of the Bristol and Gloucestershire Archaeological Society*, 61 (1939), p. 195. The evidence there adduced is quite inconclusive. I owe this reference to Miss E. Danbury.

40 The identification of the author John of London with John Bever is suggested by T. D. Hardy, *Descriptive Catalogue of Materials relating to the History of Great Britain and Ireland* (Rolls Series, 1862-1871, 3 vols.), iii. 282. The evidence that the monk John of London was also called John Bever is a mandate preserved in Westminster Abbey from the commissary general of the archdeacon of London to the archdeacon of Westminster to publish the excommunication of "brother John de London, dictum Le Bevere," for contumacy in respect of a summons for a crime committed within the archdeaconry of London, dated 28 March 1310. This identification does not, however, prove that this John of London was the author of the *Commendatio Lamentabilis*. Nevertheless, Madden, *Historia Anglorum*, i. xxiv-xxv and n. 1, tentatively accepts that he was the same man, and the possibility is discussed by Stubbs, *Chron. Edward I and Edward II*, ii. xi-xiii. On the other hand, Miss Smalley maintains the work's anonymity; Smalley, *op. cit.* p. 9 n. 1.

41 BM MS. Harley 641. At the foot of f. 1 is written in a fifteenth-century hand: "Cronica de edicione domini Johannis dicti Bever" monachi Westmonasterii. De libraria monasterii Sancti Augustini Cantuariensis Distinct' T. Abbatis.' (A similar inscription is at the end of the chronicle, f. 115'). The reference is to Thomas de Fyndone, abbot of St. Augustine's 1283-1310. The earlier part of the text is based on Geoffrey of Monmouth. Then at the Norman conquest it begins to follow the 'Merton' *Flores* which it slightly abbreviates, and also interpolates a few paragraphs; see *Flores*, i. xxxi-xxxiii. It is noteworthy that the five texts of the *Commendatio Lamentabilis* used by Stubbs all follow copies of the *Flores*; see Hardy, *op. cit.* iii. 309, and *Chron. Edward I and Edward II*, ii. vii-xi.

also do they have distinctive attitudes to politics. When the *Flores* left St. Albans for Westminster in 1265, it acquired a new political bias. Matthew Paris and his continuators at St. Albans (like the great majority of contemporary chroniclers) were harsh critics of the central government and ardent supporters of the baronial cause. At Westminster the *Flores* was continued in a royalist tone. Thus the 'Westminster' *Flores* calls Henry III an innocent, God-fearing man whose dearest wish was to end civil discord.⁴² Recording Henry's death, it writes: "God and those who faithfully supported Henry knew what an innocent, patient man he was, and with what devotion he worshipped the Saviour. And, above all, the miracles which followed his death, show how God valued his life."⁴³ The 'Westminster' *Flores* estimate of Edward I, despite occasional criticism, tends to be eulogistic. (In general the other chroniclers also favour Edward). It enthusiastically supports his Scottish policy. Edward was Scotland's rightful lord, the glorious victor,⁴⁴ the most fortunate king, who "trampled on the horns of the proud and silenced the roar of rebels."⁴⁵ The very walls of Stirling castle, captured in 1303, bore witness to his glory: the damage done to them by the besiegers' missiles were "indelible tokens of the lasting victory and great triumph of this magnificent king."⁴⁶

This royalist bias is even more marked in the 'Merton' *Flores*. The author modified the few passages in the 'Westminster' *Flores* which were critical of the king. For example he rewrote the passage on Edward I's oppressive treatment of the clergy when they refused an aid in 1296, thus omitting a particularly biting piece of invective. ("The king turned to cruelty, and the clergy were so constantly afflicted that it was as if the madness of Nero was revived in England").⁴⁷ Under 1303 he shortened the tirade against Edward for the imprisonment of the monks suspected of complicity in the robbery of the royal treasury, and rewrote it in such a bombastic style that it is almost incomprehensible.⁴⁸ Besides copying the passages in the 'Westminster' *Flores* which favour the king, the author of the 'Merton' *Flores* added more of his own. He inserted a

⁴² *Flores*, iii. 15.

⁴³ *Flores*, iii. 28.

⁴⁴ *Flores*, iii. 112.

⁴⁵ *Flores*, iii. 118.

⁴⁶ *Flores*, iii. 119-120.

⁴⁷ *Flores*, iii. 99. The author of the 'Merton' *Flores* diverted some of the blame on to the *falsi clerici*, *aulici curiales*; *ibid.* iii. 291.

⁴⁸ *Flores*, iii. 313.

resumé of events culminating in the battles of Lewes and Evesham which justifies the monarchy and discredits the barons.⁴⁹ He accuses the baronial leaders whom he calls 'princes of faction', of being moved by hate, ambition and greed rather than by patriotism,⁵⁰ and of causing untold suffering by the civil war, which they engendered.⁵¹ He insists on the ultimate legitimacy of monarchy,⁵² defending the king's right to endow his foreign relatives⁵³ and arguing that Henry could have annulled the Provisions of Oxford, which he refers to as the *proditiones Oxoniae*, by 'common consent' because they had been agreed by 'common consent' — only his scrupulousness made him seek papal absolution from his oath to observe them.⁵⁴ Henry was a man of peace, and monarchical government was the custodian of peace. Henry's restoration to power in his "perfect and spacious vineyard" represented the restoration of peace.⁵⁵ The author gives a paean on peace, contrasted with horrors of civil war, in his most eloquent prose.⁵⁶

The 'Merton' *Flores* praises Edward I. The author emphasises, in the account of events immediately preceding the battle of Evesham, the part played by the then Lord Edward in securing his father's victory over Simon de Montfort.⁵⁷ Later, when Edward was king, he treats him as the architect of peace. He was especially interested in Edward's Scottish campaigns which tried to impose peace on the north. His most eulogistic passages are in his elaboration of the account in the 'Westminster' *Flores* of the siege of Stirling castle.⁵⁸ Edward was brave and wise, his interference in Scotland was justified by historical precedents, and during the siege he was protected by the angel of the Lord from the blows of the devil. The biblical citations and allusions, discussed above,⁵⁹ serve to embellish Edward's *persona* as the Lord's anointed.

The strength of the political bias in the 1307-1326 continuation of the *Flores* rivals that in the 'Merton' *Flores*. However, the bias is in the opposite direction. No other chronicler attacks Edward II with such unremitting virulence. He is eloquent on Edward II's malefactions and

49 *Flores*, iii. 251-266.

50 *Flores*, iii. 252-254.

51 *Flores*, iii. 248. (See above pp. 477-8).

52 *Flores*, iii. 254.

53 *Flores*, iii. 252.

54 *Flores*, iii. 255.

55 *Flores*, iii. 266.

56 *Flores*, iii. 266-268.

57 *Flores*, iii. 264-265.

58 *Flores*, iii. 315-321.

59 Above p. 479.

accuses him of tyranny. The king, "paralysed by sloth, won disgrace not fame."⁶⁰ The author dwells on the failure of his Scottish campaigns⁶¹ and his virtual loss of Gascony.⁶² Edward was a coward in battle, fleeing in terror from the Scots in 1322, "spurring on his horse, trembling and defenceless," and allowing the English to suffer all the miseries of defeat.⁶³ And so he lost the glory and power won by his famous ancestors whose fame was extolled throughout the world.⁶⁴ He broke his oath to observe the Ordinances⁶⁵ and habitually "forgot in the morning what he had promised in the evening."⁶⁶ His avarice was insatiable, with the result that the exactions of the royal justices reduced many counties to irremediable poverty,⁶⁷ and he "stretched forth his hand to vex" not "certain of the church" (Acts xii.i) but every single prelate by his wicked ferocity!⁶⁸ He followed evil counsel⁶⁹ and made decisions "in secret in his chambers with his intimates"⁷⁰ and tried to circumvent opposition in parliament by delay, so that the lords, their patience and money exhausted, agreed to his demands.⁷¹ He preferred the company of the lowborn to that of the nobles⁷² whose counsel he neglected and whom he grievously oppressed, planning to humble and even to exterminate them. Under 1321 he writes: "In his insane fury he hated all the magnates with such wicked hatred that he plotted to overthrow completely the great men of the realm together with the whole English nobility."⁷³

Conversely, the author of the 1307-1326 continuation praises the barons for their wisdom and magnanimity, their strength and courage in protecting England by war.⁷⁴ They were steadfast in their support of their leader, Thomas of Lancaster, preferring in 1321 to die in the faith

60 *Flores*, iii. 192.

61 *Flores*, iii. 159, 176, 190 and *passim*.

62 *Flores*, iii. 221-223.

63 *Flores*, iii. 210.

64 *Flores*, iii. 192-193.

65 *Flores*, iii. 201.

66 *Flores*, iii. 222. (Cf. *ibid.* iii. 228).

67 *Flores*, iii. 218.

68 *Flores*, iii. 218.

69 See e.g. *Flores*, iii. 143-144, 148, 192-193, 209, 230.

70 *Flores*, iii. 219.

71 *Flores*, iii. 220.

72 The chronicler describes how Edward amused himself "relicto nobilium consortio ... orientalia stagnorum aequora in comitatu Cantebrugge cum simplicium personarum magna comitiva ...," *Flores*, iii. 173.

73 *Flores*, iii. 200.

74 *Flores*, iii. 149, 188.

of Christ for the liberty of the church and realm, rather than to violate their oath to uphold the Ordinances.⁷⁵ Thomas himself died a martyr to the cause, and "the manifold goodness of this famous man, the generous alms he gave, his pious acts when alive and the merits of his posthumous miracles, worked by divine clemency, require a book on their own."⁷⁶ Moreover, the author consistently supports Isabella and Mortimer (unlike Adam Murimuth and Geoffrey le Baker who are bitterly hostile to them). In the passage quoted above on Mortimer's escape from the Tower, he implies, by the use of biblical citations, a comparison of Mortimer with St. Peter.⁷⁷ He is outspoken about Edward II's treatment of Isabella, who, he asserts, pleaded with the king in 1311 to turn from his intimates (*confabulatores*) "to the excellence of the magnates, the wisdom of the clergy and the protection of the community," for the sake of peace.⁷⁸ Later, in 1324, he accuses the king of cruelty to the queen, by depriving her of her household, and exclaims: "On the insane stupidity of the king of England, which must be condemned by God and man! He should not love his own infamy and illicit bed, full of sin, and should never have removed from his side his noble consort and her tender wifely embraces, in contempt of her noble birth!"⁷⁹ The author's Francophilia appears in the assertion that Isabella's brother, Charles IV and the nobility of France, grieved at her ill-treatment (and impressed by the good looks and good manners of her son Edward, the heir-presumptive), will help her to invade England.⁸⁰

We have, therefore, two chronicles, the 'Merton' *Flores* and the 1307-1326 continuation, of exceptionally strong political bias. Both stop short just before the end of the reign to which they relate, one in February 1307 and the other in February 1326. However, there is evidence suggesting the possibility that the text of the 'Merton' *Flores*, or at least drafts for it, did originally extend until the death of Edward I on 7 July, 1307, and that part of this continuation may be recovered from the chronicle of Adam Murimuth, who, as he himself states, used Westminster material.⁸¹ Murimuth's appreciation of Edward I's achieve-

75 *Flores*, iii. 204.

76 *Flores*, iii. 214.

77 Above, p. 478.

78 *Flores*, iii. 148.

79 *Flores*, iii. 229.

80 *Flores*, iii. 231.

81 Murimuth states that he found chronicles in Westminster Abbey up to 1305 and that from that year he wrote from his own knowledge; *Murimuth*, pp. 3-4. However, it is likely that Murimuth used historical material at Westminster to a later date (see the next note).

ments following the notice of his death coincides in tone with the account of the king in the 'Merton' *Flores*. It specifically attributes the defeat of Simon de Montfort and the barons to Edward's heroism, and recites his victories over England's enemies, especially the Scots, both of which subjects figure large in the 'Merton' *Flores*.⁸²

Similarly, there is a possibility that the 1307-1326 continuation originally went as far as the accession of Edward III. The ascription-passage, at the beginning of the annal for 1326 which states that Robert of Reading ended both his chronicle and his life, does not preclude such a conclusion. It could merely signify the point at which Robert stopped writing, not the date of his death. Perhaps he even left drafts for his continuator. If so, it is likely that this continuation is partly preserved by Murimuth. The account of Edward II's deposition in his chronicle sustains the theme of the 1307-1326 continuation of the *Flores*. It represents Edward as abdicating voluntarily, admitting his own unworthiness to rule, saying: "I greatly lament that I have so utterly failed my people, but I could not be other than I am; I am pleased that my son who has been thus accepted by all the people should succeed me on the throne." And so "the whole community of the realm immediately received the young Edward as king."⁸³

It remains to examine possible causes for the extreme bias in favour of Henry III and Edward I in the 'Merton' *Flores*, and against Edward II in the 1307-1326 continuation. The problem is whether the affection of the Westminster monks for Henry III and Edward I, and their hatred of Edward II are sufficient explanation. Certainly it is not surprising that the 'Westminster' *Flores* adopted a pro-royalist attitude to Henry III. It supported the king partly no doubt from reasons of circumspection, because the government was next door to the abbey (the royal treasury was in the abbey itself). But their support was surely sincere because Henry, as the abbey's patron, was a generous benefactor and

⁸² Murimuth, p. 10. Murimuth follows the notice of the funeral with two lines of verse celebrating the peace which Edward I imposed. The presence of the same lines in the *Flores* (iii. 128) suggests that Murimuth was still using Westminster material for his annal for 1307. The lines read:

Dum vigit, rex, et valuit tua magna potestas,
Fraus latuit, pax magna fuit, regnavit honestas.

The so-called Tenison MS. (see above p. 473 n. 13) adds two more lines of verse:

Scotos Edwardus, dum vixit, suppeditavit,
Terruit, afflixit, depressit, dilaniavit.

⁸³ *Flores*, iii. 235. See below p. 487.

the builder of their new church. The 'Westminster' *Flores* describes how when Henry was ill in 1271 "the monks of Westminster, fearing to lose their patron, processed with bare feet, in the rain to the New Temple and there celebrated mass for him to the Blessed Virgin Mary."⁸⁴ However, such good relations with Henry III expressed in the 'Westminster' *Flores* do not explain the rewriting for the 'Merton' *Flores* of the account of the Barons' War in an even more royalist tone, in the early fourteenth century. Moreover, the abbey's relations with Edward I, despite his gift of the regalia of the Scottish kings and the Stone of Scone to the abbey in 1297,⁸⁵ were not always sufficiently good to explain the revision of the 'Westminster' *Flores* to produce in the 'Merton' version an even more eulogistic account of him. Conversely, relations between Edward II and the abbey were hardly bad enough to justify the invective against him in the 1307-1326 continuation, although they were sometimes strained.⁸⁶ (The chronicler expressed the anger of the Westminster monks at the removal in 1319 of the royal Exchequer and court of King's Bench from Westminster palace to York,⁸⁷ and under 1320 he records that Edward occupied, "not without sacrilege," a cottage within the abbey precincts "called Borgoyne, for (Edward) preferred to have the title 'of Borgoyne' rather than the titles used by his glorious predecessors.")⁸⁸

Another explanation may be tentatively suggested for the political bias of the 'Merton' *Flores* and the 1307-1326 continuation. Perhaps they were official histories, written in response to royal command. Such an hypothesis would explain some of the problems raised by these works. With regard to the 'Merton' *Flores*, the following suggestions may be made. It was written by John of London, *alias* John Bever, a monk of Westminster, after the death of Edward I (7 July, 1307), at the command of Edward II, perhaps for presentation on the occasion of his coronation (24 February, 1308). John based the work on the 'Westminster' *Flores*, for the composition of which he himself was partly responsible. (The eulogy of Edward I in the account of the siege of Stirling castle in the 'Westminster' *Flores* suggests the possibility that

⁸⁴ *Flores*, iii. 22-23.

⁸⁵ *Flores*, iii. 101.

⁸⁶ The monks of Westminster clearly objected to Edward I's oppressive taxation of the clergy, and came into conflict with him over the indictment of some of their number for complicity in the burglary of the royal treasury; see above pp. 479.

⁸⁷ *Flores*, iii. 191.

⁸⁸ *Flores*, iii. 193. For minor causes of conflict between Edward's II's household and Westminster Abbey see Tout, *op. cit.* p. 457 n. 2.

John wrote this passage at the command of Edward I to celebrate his victory).

There is evidence corroborating the hypothesis that the 'Merton' *Flores* was written for Edward II's coronation. The coronation pictures in the earliest text, the Eton College MS., show a preoccupation with the coronation ceremony, and the careful delineation of the rod with the dove could be interpreted as indicating that the pictures were executed soon after Edward's funeral when the emblem, may have attracted especial attention.⁸⁹ The theme of the 'Merton' *Flores* also supports our hypothesis. It commemorates the acts of Edward I, the new king's father, emphasising his military victories — his contribution, as the Lord Edward, to the defeat of Simon de Montfort, and his victories, as king, over the Scots. It is noteworthy that the new *ordo* compiled for Edward II's coronation included a prayer that the king should succeed against enemies and rebels.⁹⁰ Its interest in the Barons' War, apparent in the long resumé of events leading up to the battle of Evesham, and the eloquent paean on peace⁹¹ are explicable if the work was written at Edward II's accession, because the king was again under baronial pressure.⁹² The author must surely have been thinking of his own times when he wrote that even if Henry III did have shortcomings, they did not vitiate his heirs' monarchical rights, because "both divine and human law provide that once the fault or defect ceases, the punishment is never transmitted to the heirs, lest the iniquity of the father should attend the son and the punishment exceed the crime."⁹³ (That the author wrote 'heirs' not 'heir' shows that he was thinking further ahead than Edward I). Moreover, the only shortcoming of Henry III which the author specifically mentions is his 'intolerable prodigality' which made the baronial take-over necessary:⁹⁴ this can be regarded as a veiled admonition to Edward II lest the same fault on his part should lead to a similar result.

Additional support for the suggestion that the 'Merton' *Flores* was started immediately after Edward I's funeral is provided by the *Com-*

89 See above pp. 475.

90 "Tribue ei, optimus Deus, ... ut sit fortissimus regum, triumphator hostium, ad opprimendas rebelles et paganas nationes; sitque suis inimicis satis terribilis, praemaxima fortitudine regalis potentiae. *Foedera* (Record Commission edition), ii. pt. i, 34.

91 See above p. 483.

92 See Schramm, *op. cit.* pp. 76, 207-208, and M. McKisack, *The Fourteenth Century* (Oxford, 1959), pp. 4 sq.

93 *Flores*, iii. 254. The coronation *ordo* of 1308 laid especial emphasis on Edward II's succession by hereditary right.

94 *Flores*, iii. 254.

mendatio Lamentabilis. This lament, described by Stubbs as a "sort of mortuary Éloge or funeral sermon," must have been written soon after the king's death. The close similarity between its point of view and that of the 'Merton' *Flores* suggests that the latter was written at about the same time. The *Commendatio Lamentabilis*, like the 'Merton' *Flores*, emphasises that the Lord Edward helped Henry III defeat the barons: the knights say that they, with the great Edward, "snatched England, from the lion's jaw when they freed Henry III, like Daniel, from that wild beast, Simon de Montfort."⁹⁵ And it too praises Edward when king for his wisdom, bravery and success in war which won for England the benefits of peace.⁹⁶

With regard to the 1307-1326 continuation, it seems likely that it was written after the deposition of Edward II and before the fall of Isabella and Mortimer in October 1330. It may have been intended for presentation to Edward III on the occasion of his coronation, and is best understood as a *pièce justificative* for Isabella's and Mortimer's coup. It reads as if it were intended to substantiate the accusations levelled against Edward II in the assembly held on 13 January, 1327, which deposed him. The chronicle of the Cistercian abbey of Pipewell gives the fullest account of the proceedings. It records:

There, by common assent of all, the archbishop of Canterbury declared how the good King Edward when he died had left to his son the lands of England, Ireland, Wales, Gascony and Scotland in good peace; how Gascony and Scotland had been as good as lost by evil counsel and evil ward; how, further, by evil counsel the son had destroyed the greater part of the noble blood of the realm, to the dishonour and loss of himself, his realm and all the people; and how he had done many other marvels.⁹⁷

It will be noticed that the charges made against Edward are precisely those enlarged on in the 1307-1326 continuation.⁹⁸ Moreover, assuming that Murimuth preserves the lost ending of the chronicle, its account of

⁹⁵ *Chron. Edward I and Edward II*, ii. 14. The *Commendatio Lamentabilis* compares Edward I with David and Solomon. It is noteworthy that prayers in the coronation *ordo* of Edward II ask God to endow the king with the qualities of various Old Testament figures such as Abraham, Moses, David and Solomon; see *Foedera*, ii. pt. i, 33-34.

⁹⁶ *Chron. Edward I and Edward II*, ii. 16 and *passim*. See above p. 481.

⁹⁷ The translation is that in M. V. Clarke, "Committees of Estates and the Deposition of Edward II," *Historical Essays in Honour of James Tail*, ed. J. G. Edwards, V. H. Galbraith and E. F. Jacob (Manchester, 1933), p. 35. (The Anglo-Norman text is printed in *ibid.* p. 44 and in M. V. Clarke, *Medieval Representation and Consent* (London-New York-Toronto, 1935), pp. 194-195). The accusations against Edward II appear in an expanded form in Adam de Orleton's *Apologia* of 1334; Twysden, *Decem Scriptores*, c. 2765, and *Foedera*, ii. pt. i, 650.

⁹⁸ See above p. 484.

Edward II's abdication and Edward III's accession had a propagandist element, for clearly the chronicler was trying to make what was illegal seem legal. Its assertion that the abdication was 'voluntary' reflects Isabella's and Mortimer's insistence on a formal resignation,⁹⁹ and Edward's alleged confession of his unworthiness to rule may well be a fiction suggested by the proceedings of the deposition assembly. Finally, the author calls the assembly itself a parliament: but it hardly deserved the appellation.¹⁰⁰

If our hypothesis that the 'Merton' *Flores* and the 1307-1326 continuation are official histories is correct, it provides a possible explanation of the fact that each stops just before the end of the reign which it describes. Perhaps only one complete copy of the original draft of each chronicle was made in Westminster Abbey. These complete copies were presented to the kings. Edward II's book could well have been lost during the upheaval of the deposition, and meanwhile at Westminster no other complete copy had been made; perhaps the monks, satisfied with the 'Westminster' *Flores*, were not sufficiently interested. Therefore, in order to meet outside demand, it was necessary for scribes to use as exemplar the incomplete copy made for Merton priory. With regard to the 1307-1327 continuation, political considerations may explain the survival of only one early copy, itself incomplete. Edward III's copy might have been deliberately destroyed after the fall of Isabella, because its favourable attitude to them was no longer acceptable. The same factor could have resulted in the destruction at Westminster of other early copies and it is likely that it would have discouraged the making of more.

Official histories were rare in medieval England and those which seem to deserve the title were by secular clerks.¹⁰¹ Thus, in the twelfth

99 See W. Stubbs, *The Constitutional History of England* (fifth edition, Oxford, 1891-1906, 3 vols.), ii. 379-380.

100 See B. Wilkinson, "The Deposition of Richard II and the Accession of Henry IV," *EHR*, 54 (1939), 223-230.

101 Before the Norman Conquest, the Alfredian Anglo-Saxon chronicle and the version written under Edward the Elder were almost certainly written to please Alfred and Edward and are biased accordingly: Plummer argues that the former was written under Alfred's 'direction and supervision'; see *Two of the Saxon Chronicles Parallel*, ed. C. Plummer, on the basis of an edition by J. Earle (Oxford, 1892, 1899, 2 vols., reprinted with two notes by D. Whitelock, 1952), ii. civ. For the 'official' element in the Edwardian chronicle see *The Chronicle of Aethelweard*, ed., with an English translation, Alistair Campbell (Nelson's Medieval Texts, 1962), pp. xxvii-xxxii. It should also be noted that the Norman accounts of William the Conqueror, especially that by William of Poitiers (*Histoire de Guillaume le Conquerant*, ed., with a French translation, R. Foreville, Les classiques de l'histoire de France au moyen age, xxiii, Paris, 1952), are official histories in the sense that they praise the king and justify the Conquest. Moreover, the Norman work which formed the basis of *L'estoire de la*

century the chronicle of Roger of Howden, a clerk in the king's service, has features of an official history.¹⁰² In the fourteenth century the *De Gestis Mirabilibus Regis Edwardi Tertii* by Robert of Avesbury, recorder of the archbishop of Canterbury, could, judging from its eulogistic tone, have been written to please Edward III, even at his command. And in the fifteenth century a chaplain of the royal household wrote the *Gesta Henrici Quinti*, "an outstanding piece of propaganda, designed to justify the king's character and policy."¹⁰³ Nevertheless, it is not unlikely that the monks of Westminster should have produced two official histories in the first third of the fourteenth century.

Initially it is possible that Matthew Paris undertook to write the *Flores Historiarum* for Westminster Abbey as a result of royal encouragement. In October, 1247, when he attended the translation of Edward the Confessor at Westminster, Henry III told him to record the proceedings;¹⁰⁴ the translation is duly noticed in the *Flores* which he completed soon afterwards.¹⁰⁵ Such an undertaking in response to the king would accord with evidence supplied by his *Chronica Majora* and *Historia Anglorum* which shows that at about this time Matthew adopted a more favourable attitude to Henry. Both works in their original form are notable for their strong anti-royalist bias. But in 1250 Matthew decided to modify his invective. He marked some passages in the *Chronica Majora* as offensive: many of these were omitted by the scribe making a new copy for St. Albans in 1250 or soon after. Matthew also erased some passages, substituting milder ones, and he revised the *Historia Anglorum*

guerre sainte (ed. Gaston Paris (Paris, 1897)) and of the *Itinerarium Peregrinorum et Gesta Regis Ricardi* (printed in *Chronicles and Memorials of the Reign of Richard I*, ed. W. Stubbs (Rolls Series, 1864, 1865, 2 vols.), i), eulogizes Richard I, in chivalric terms, and justified his behaviour during the crusade. Cf. J. G. Edwards, "The *Itinerarium Regis Ricardi* and the *Estoire de la Guerre Sainte*" in *Historical Essays in Honour of James Tail*, ed. Edwards, Galbraith and Jacob, pp. 59-77, and *Das Itinerarium Peregrinorum*, ed. H. E. Mayer (MGH, *Schriften*, xvii, Stuttgart, 1962), pp. 80-102. The *Gesta Stephani* (ed., with an English translation, K. R. Potter (Nelson's Medieval Texts, 1955)), which may also be of foreign authorship (see *ibid.* pp. xxx-xxxii) praises King Stephen as a chivalric hero.

¹⁰² Printed *Chronica Magistri Rogeri de Hoedene*, ed. W. Stubbs (Rolls Series, 1868-1871, 4 vols.). See also F. Barlow, 'Roger of Howden', *EHR*, 65 (1950), 352-360, and D. M. Stenton, 'Roger of Howden and *Benedict*', *EHR*, 68 (1953), 574-582.

¹⁰³ J. S. Roskell and F. Taylor, "The Authorship and Purpose of the *Gesta Henrici Quinti*: i," *BJRL*, 53 (1970-1971), 428. The *Gesta* is printed *Henrici Quinti, Angliae Regis, Gesta*, ed. B. Williams (English Historical Society, 1850).

¹⁰⁴ Matthew Paris, *Chronica Majora*, ed. H. R. Luard (Rolls Series, 1872-1883, 7 vols.), iv. 644-645. For a translation of the passage see Vaughan, *Matthew Paris*, p. 3. Henry's interest in Matthew Paris' historical work also appeared when he visited St. Albans in 1257, on which occasion he gave Matthew a list of the canonized kings of England and the names of two hundred and fifty English baronies.

¹⁰⁵ See Vaughan, *op. cit.* pp. 108-109.

even more drastically.^{105a} Perhaps the dedication of his *Life of Edward the Confessor*, in Anglo-Norman verse, which he wrote at about the same time, to Henry's queen, Eleanor of Provence, is also indicative of a rapprochement with the royal family.¹⁰⁶

There is more evidence for Edward I's interest in history than there is for Henry III's. His appreciation of the value of chronicles as records of precedents, and of the uses of historiography for propaganda is well-known. His clerks searched the chronicles for evidence relating to the case of the competitors for the Scottish throne in 1291, and he wrote to the monasteries ordering the monks to search their chronicles for similar material.¹⁰⁷ The evidence collected was synthesized by the royal clerk, John of Caen, into the official account of the proceedings, the *Processus Scotiae*, which gave an account of Anglo-Scottish relations from 901 to 1252 strongly biased in favour of Edward's claims.¹⁰⁸ Edward also ordered chroniclers throughout England to insert in their works copies of the competitors' letters of submission to Edward as overlord.¹⁰⁹ Furthermore, there was a literary interest in history at court, fostered by the cult of King Arthur. The Dominican, Nicholas Trevet, wrote a chronicle in Anglo-Norman dedicated to Edward I's daughter Mary.¹¹⁰ And a number of books and works of art (including a coronation throne) were executed at Westminster for the king and members of the royal family.¹¹¹

Moreover, the possibility of French influence cannot be discounted. In the late thirteenth and early fourteenth centuries cultural connections between England and France were close, reinforced by the marriage of Edward I with Margaret, daughter of Philip II of France (in September 1299), and by Edward II's marriage with Isabella, daughter of Philip the Fair (in January 1308). The official chronicle of the kings

105^a *Ibid.* pp. 64-5, 117-124.

106 See *La estoire de seint Aedward le rei*, ed., in facsimile, M. R. James (Roxburghe Club, 1920), pp. 12, 17. For date of work see Vaughan *op. cit.* p. 168.

107 Edward I's appeal to historical precedent in the Scottish succession case is fully discussed by E. L. G. Stones, "The Appeal to History in Anglo-Scottish Relations between 1291 and 1401: i," *Archives*, 9 (1969), 11-21 *passim*. For Edward I's letters to the religious houses see *ibid.* p. 12 and n. 8, J. Bain, *Calendar of Documents relating to Scotland* (Edinburgh, 1881-1888, 4 vols.), ii. 110, no. 470, and F. Palgrave, *Documents and Records illustrating the History of Scotland* (Record Commission, 1837), pp. 60-67.

108 *Foedera*, i. pt. ii, 762-784. See V. H. Galbraith, *Historical Research in Medieval England* (London, 1951), p. 36, and Stones, *op. cit.* pp. 17-19. Edward I again appealed to history to defend his claim to overlordship of Scotland against Boniface VIII; see *ibid.* pp. 19-21.

109 See Bain, *op. cit.* ii. 122, nos. 503-504, and Palgrave *op. cit.* pp. xcvi-xcvii and n. *.

110 This chronicle is unpublished; see M. D. Legge, *Anglo-Norman Literature and its Background* (Oxford, 1963), pp. 299-302.

111 See Peter Brieger, *English Art 1216-1307* (Oxford, 1957), chapter xii *passim*.

of France, the *Grandes chroniques*, described by its modern editor as "a monument raised to the glory of the French monarchy,"¹¹² provides a continuous history from the origins of the monarchy in the sixth century, until, ultimately, the end of the fifteenth century. It was begun in the mid-thirteenth century and later continued by the monks of the royal foundation of St. Denis, near Paris. If we are correct in our hypothesis that the 'Merton' *Flores* and the 1307-1327 continuation are an official history by the monks of Westminster, the English monarchy had for a short period a comparable work produced by a comparable royal foundation.

University of Nottingham

¹¹² *Les Grandes chroniques de France*, ed. J. Viard (Soc. de l'histoire de France, 1920-1953, 10 vols.), i. viii. See also A. Molinier, *Les sources de l'histoire de France* (Paris, 1901-1904, 5 vols.), iii, no. 2530, and the unpublished Ph. D. thesis for Edinburgh University (1969) by Sarah Murphy Farley, *French Historiography in the Later Middle Ages with special Reference to the 'Grandes chroniques de France.'*

REVISIONS FOR VERCELLI HOMILY XX*

Paul E. Szarmach

* See *MS* 35 (1973) 1-26

Page 2, lines 111-115:

V: line 2 of quotation: READ *halwendlic*, *cwylmberendlic*

line 3 of quotation: READ *unrotmes*

line 6 of quotation: READ *unrotmes*

T: line two of quotation: READ *halwendlice*

TEXT of V:

line 22: *ofer*. READ *ofer*

56: *pridde*. READ *pridde*

82: [un-]. READ [un]

112: *halwendic*. READ *halwendlic*

INSERTION from T:

line 25: *pam*. READ *þam*

VARIANTS:

line 5: P, *læton*

variants for line 7 begin with P, forþam noted for line 6

line 12: *geþancan*. READ *geþæncan*

READ T, P *forðam*

line 14: P. READ P

line 15: A. READ T

line 22: *hrædlice*. READ *rædlice*

line 28: *variant T, P uton should be last entry*

line 36: P, *a halig*

line 40: P, *flesc*

variants for line 41 begin with P, hit

line 47: B. READ P

line 49: P, *þurhfærð*, READ - *fearð*

line 52: T, *rumodlice*. READ *rumodlide*

line 53: P, *ælmæsdæda*

line 55: P, *eal*

line 56: T, P *gelæde*

line 61: DELETE T, P, *gecweden*

line 66: A, B. READ T, P

line 77: DELETE T, *unscead*

line 78: B. READ P

- line 83: P, idel plega
 line 84: B, READ P
 line 94: READ: T, mildheortnysse; P, milheortnusse
 line 96: T, heafodleahtor; P, heafedleahter
 line 97: READ T, gepungennysse
 line 100: READ P, þolomodnysse
 line 102: READ T, P heafodleahter
 READ T, sleacnys; P sleacnysse
 line 106: DELETE T, P *om.* of
 lines 111-115. (135). READ (115)
 READ: T ... halwendlic
 READ: P ... halwændlic ... synfullas
 line 122: READ: T, heafodleahtor; P, heafed leahter
 line 129: READ T, P liccetung
 line 130: DELETE P *om.* he
 line 133: T, P lufu

VARIANTS TO insertion from T:

- line 22: READ P, riht-
 line 29: READ P, mycel
 line 30: seo. READ se
variants to line 3. begin with P, lufian noted for 35-36; add as well P om. we
 line 39: mind-. READ midd-
 line 46: P, odra (sic) for line 45
 line 56: DELETE
 line 137: T, P nulle. DELETE T
 line 140: READ T, þrystrum. P, þrystrum *etc.*

NOTES:

- p. 21: second last line: þ. READ þa
 last line: da. READ ða
 p. 24: line 4: (11. 131-135). READ (11. 111-115)
 line 31: 1. 156. READ 1. 134
 line 33: (11. 150-151). READ (11. 129-130)
 line 35: 156. READ 134

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